



**State of Alaska
Department of Commerce, Community &
Economic Development Division of Corporations,
Business, and Professional Licensing
Big Game Commercial Services Board**

Board Packet

March 28-30, 2023

DRAFT

Roster

Big Game Commercial Services Board

NAME	APPOINTED	REAPPOINTED	EXPIRES
Bloomquist, Aaron (Copper Center) Licensed Registered Guides-Outfitters	03/01/2021		03/01/2025
Boniek, Martin (Glennallen) Licensed Transporters	03/01/2021		03/01/2025
Buist, Peter (Fairbanks) Public	05/21/2019	03/01/2021	03/01/2025
Bunch, Jason (Kodiak) Licensed Registered Guides-Outfitters	03/02/2018	03/01/2019	03/01/2023
Burnett, Jerry (Juneau) Designated Game Board Member/Restricted	01/21/2021		03/01/2024
Flores, Michael (Soldotna) Licensed Transporters	05/11/2020		03/01/2023
Kunder, Larry (Anchorage) Public	05/25/2022		03/01/2026
Nordlum, Clay (Kotzebue) Private Landholders/Restricted	06/25/2021	03/01/2022	03/01/2026
Vacant () Private Landholders/Restricted			03/01/2024

B. Marine Transporter - Vessel and Captain Requirements

C. Guides and Transporters - Boat and Plane Identification

D. Helicopter Use

E. GUA Registration and RGO Contract Requirements

F. Supervision and Participation

G. Guides Providing Transportation Services

8. 3:30pm Investigations Unit/Tabled Applications

A. Probation Monitor Report

B. Investigative Report

C. Executive Session

i. License #197273 - Case No. 2022-001194

9. 4:30pm Recess

DRAFT



Big Game Commercial Services Board - Spring Meeting

Alaska Division of Corporations, Business and Professional Licensing
Mar 28, 2023, at 9:00 AM AKDT to Mar 30, 2023, at 4:30 PM AKDT
Pike's Waterfront Lodge: 1850 Hoselton Rd. Fairbanks, AK 99709

Meeting Details:

https://us02web.zoom.us/j/90215Aq5Y2thrkNCmaDFK?icsToken=98tyKuGtgDwqHdaVuRyDRpwMBI_Cc-3zpmJEgvp-ti_fKnVyc1bPZPZKILIRM9XR

Call in: (669)900-6833

Meeting ID: 856 7072 0954

Passcode: 553842

TENTATIVE MEETING AGENDA (DAY 3)

March 30, 2023

- 21. 9:00am Roll Call**
- 22. 9:05am Review Agenda**
- 23. 9:15am Public Comment**
- 24. 9:45am Break**
- 25. 10:00am Position Statements**
 - A. Helicopter Use**
 - B. Partnerships**
 - C. Hunt Record Signing**
- 26. 10:30am Prioritize Ongoing Projects (continued)**
- 27. 12:00pm Lunch Break**
- 28. 1:00pm Division Update**
 - A. Current fiscal report**
 - B. Information Technology Project**
 - C. Executive Administrator Position**
 - D. Part-time Investigator**
 - E. Funding for Board of Game Attendance**
 - i. Deadline to Request**
 - F. Fee analysis**
 - G. Request for Expenditure Authority (training requested)**
- 29. 1:30pm Regulation Projects**
- 30. 2:00pm Board Business**
 - A. New Business**

i. Annual Report

ii. Sunset Legislative Audit

31. 3:00pm Administrative Business

32. 3:30pm Task List

33. 4:00pm Adjourn

DRAFT

State of Alaska
DEPARTMENT OF LAW

ETHICS ACT PROCEDURES FOR BOARDS & COMMISSIONS

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The executive director of the board or commission and its staff, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

- For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *“Ethics Information for Members of Boards and Commissions.”* The executive director and staff should refer to the guide, *Ethics Information for Public Employees.* Both guides and disclosure forms may be found on the [Department of Law’s ethics website](#).

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- Follow the advice of your DES!

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair**.

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission’s public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members’ disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved **and** there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter.⁵
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting.⁶

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- *Exception:* A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating or participating in the matter.⁷

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first

made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the [Department of Law's ethics website](#).

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted **in writing** and **under oath**.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist.⁸
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- **These matters are confidential**, unless the subject waives confidentiality or the matter results in a public accusation.

What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a **written request** to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides **advice by phone or e-mail** to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

¹ The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

² The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

³ You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.

⁴ In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

⁵ The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.

⁶ In this manner, a member's detailed personal and financial information may be protected from public disclosure.

⁷ When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

⁸ The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, his or her supervisor and others. The DES may seek advice from the Attorney General. A copy of the DES' written determination is provided to the subject employee and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible,

the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

6/14

The Attorney General and Department of Law staff may not provide legal advice to private citizens or organizations. Please contact an attorney if you need legal advice. The [Alaska Lawyer Referral Service](#) or your local bar association may be able to assist you in locating a lawyer.

Alaska Department of Law

1031 West 4th Avenue, Suite 200

Anchorage, AK 99501

attorney.general@alaska.gov

Phone: (907) 269-5100 | Fax: (907) 276-3697

TTY: 907-258-9161

COPYRIGHT © [STATE OF ALASKA](#) · [DEPARTMENT OF LAW](#) · [EMAIL THE WEBMASTER](#)

Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION</p>
--

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board, Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

- 1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?
 Yes No
- 2. Can I take or withhold official action that may affect the person or entity that gave me the gift?
 Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BIG GAME COMMERCIAL SERVICES BOARD

CONDENSED MINUTES OF THE MEETING HELD FEBRUARY 28, 2023

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting (teleconference) of the Big Game Commercial Services Board was held on February 28, 2023, at 333 Willoughby Avenue, 9th Floor, Juneau, AK.

Date:	February 28, 2023
Time:	9:00 a.m. (9:03 a.m.)
Location:	Online teleconference ran from 333 Willoughby Avenue, 9th Floor, Juneau, AK
Board Members Present:	Jason Bunch, Aaron Bloomquist (9:09am), Jerry Burnett, Martin Boniek, Pete Buist, Larry Kunder, Mike Flores
Board Members Absent:	Clay Nordlum
Division/SOA Staff Present:	Thomas Bay (Executive Administrator), Janet Brown (Occupational Licensing Examiner), Lee Strout (Investigator) Megyn Weigand (Senior Assistant Attorney General)
Present from the Public:	Jerry Cates

1. Review Agenda		
Brief Discussion:	No discussion to amend the agenda.	
Motion:	Move to accept the agenda as written (First: Boniek; Second: Buist).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Absent	Kunder - Yes
	Bunch - Yes	
2. Ethics Review		
Brief Discussion:	There were no ethical disclosures by any board members or staff.	
3. Investigative Matters for Review: Executive Session		
Brief Discussion: Off Record: 9:09 a.m.	The board moved into executive session for discussion of investigative matters.	

Motion:	I, Pete Buist, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay, Janet Brown, and Lee Strout to remain during the session (First: Pete Buist; Second: Jerry Burnett).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Brief Discussion: On Record: 11:28 a.m.	No action was taken during executive session.	
4. Summary/Motions from Executive Session		
Case No. 2020-000051		
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2020-000051: Licensee provided a false statement on a license application and guided/aided in commission of violations. There was no discussion.	
Motion:	Move to accept consent agreement for Case No. 2020-000051 (First: Pete Buist; Second: Aaron Bloomquist).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Case No. 2021-000968		
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2021-000968: Licensee directed client to harvest a sublegal Dall sheep. There was no discussion.	
Motion:	Move to accept consent agreement for Case No. 2020-000968 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Case No. 2022-000160		

Brief Discussion:	The board considered a voluntary surrender of a master guide-outfitter license for Case No. 2022-000160: Licensee decided to surrender license in lieu of board action for not providing agreed services to a client. There was no discussion.	
Motion:	Move to accept the voluntary surrender of a license for Case No. 2022-000160 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Case No. 2022-000830		
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2022-000830: Licensee failed to disclose a violation on his renewal application. Mr. Bloomquist mentioned that this was one of the most minor violations the board has ever dealt with.	
Motion:	Move to accept consent agreement for Case No. 2022-000830 (First: Pete Buist; Second: Aaron Bloomquist).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Case No. 2022-000998		
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2022-000998: Licensee harvested a brown bear that his client was attempting to harvest, after his client's gun jammed in the field. Aaron Bloomquist explained that the board is required to act on guilty verdicts or no contest verdicts in regard to convictions. He explained that, according to everything he had ever heard from the troopers, during the Board of Game board meetings, what happened was not illegal. He strongly suggested that any licensees that get in trouble, while in the field, contact an attorney before pleading guilty or no contest to their case.	
Motion:	Move to accept consent agreement for Case No. 2022-000998 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Case No. 2022-001062		
Brief Discussion:	The board considered the proposed consent agreement for Case No. 2022-001062: Licensee guided a non-resident youth hunter who was accompanied by his non-resident	

	<p>father, for a Dall sheep hunt. The father was not a resident and did not have an available bag limit, both of which are requirements in regulation. Aaron Bloomquist abstained from voting because the board has asked for and does not yet have access to the Fish and Wildlife Service’s disciplinary matrix on penalties in federal concessions. He said that the Big Game Commercial Services Board needs to figure out what the consequences are going to be for licensees who have federal concessions and that the Fish and Wildlife Service needs to work with the board on it because a simple misunderstanding can result in a licensee not being able to renew their concessions, eliminating their livelihood. Chairman Bunch said that he thinks the recommendation from the reviewing board member was appropriate because the board needs to hold it’s licensees accountable for being professional, knowing the statutes/regulations, and knowing the fishing/hunting game laws.</p>	
Motion:	Move to accept consent agreement for Case No. 2022-001062 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Abstain	Kunder - Yes
	Bunch - Yes	
Case No. 2022-001126		
Brief Discussion:	<p>The board considered the proposed consent agreement for Case No. 2022-001126: Licensee and client inadvertently shot and killed two moose. Aaron Bloomquist said that he thinks the consent agreement was appropriate and that he thinks it was an honest mistake. Chairman Bunch said that the case was an unfortunate mistake but that the board has to set a standard and hold their licensees accountable.</p>	
Motion:	Move to accept consent agreement for Case No. 2022-0001126 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Case No.’s 2021-001302/2022-001146		
Brief Discussion: Off Record: 11:56 a.m.	<p>The board considered the proposed consent agreement for Case No.’s 2021-001302/2022-001146: Licensee aided in violation of a sublegal sheep and again aided in violation of a sublegal moose. Aaron Bloomquist said that the board’s requirement in the consent agreement, to have the licensee conduct a moose judging presentation at a public board meeting, was a very good tool to ensure the licensee learned from his mistakes, while also providing important information to the board and the public. Larry Kunder said that he thought the licensee should also do a presentation on sheep judging. After board discussion, the board agreed that a sheep judging presentation could be provided if/when they review a future violation of a sublegal sheep. Mr. Kunder withdrew his request. The</p>	

	board decided to take a break before going into executive session to review license applications.	
Motion:	Move to accept consent agreement for Case No.'s 2021-001302/2022-001146 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
5. Application Review (tabled and/or "Yes" answers)		
Brief Discussion: On Record: 12:17 p.m.	The board received requests from two police officers to submit assistant guide applications. Chairman Bunch reminded the board that a "law enforcement officer" is not allowed to hold a license while they are working as a "law enforcement officer." After review of the definition of a "law enforcement officer," which states that a "law enforcement officer" is a person who is engaged in fish and wildlife protection, the board decided that the two police officers could apply for assistant guide licenses. The board decided to write a position statement to that effect.	
Motion:	Move to write a position statement that any law enforcement individual that deals with wildlife issues only in incidental situations is eligible for a license. (First: Aaron Bloomquist; Second: Larry Kunder).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Executive Session		
Brief Discussion: Off Record: 12:39 p.m.	The board moved into executive session to review license applications that were required to be reviewed by the Investigations Unit.	
Motion:	I, Pete Buist, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion; and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff Thomas Bay, Janet Brown, Lee Strout, and Megyn Weigand to remain during the session (First: Pete Buist; Second: Aaron Bloomquist).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	

Brief Discussion: On Record: 1:59 p.m.	No action was taken during executive session.	
6. Summary/Motions from Executive Session		
License #204468 – Case No. 2023-000125		
Brief Discussion:	The board considered the application for license #204468 - Case No. 2023-000125. Chairman Bunch mentioned that this application had been reviewed for having a “Yes” answer on an application.	
Motion:	Move to approve the applicant for licensure in Case No. 2023-000125 (First: Pete Buist; Second: Aaron Bloomquist).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
License #197273 – Case No. 2022-001194		
Brief Discussion:	The board considered the application for license #197273 - Case No. 2022-001194. Chairman Bunch mentioned that this application had been reviewed for having “Yes” answers on an application.	
Motion:	Move to table the application for Case No. 2022-001194 (First: Pete Buist; Second: Mike Flores).	
Subsidiary Motion:	Move to amend the initial motion to table the application for Case No. 2022-001194, pending the applicant’s pretrial release form, until the next board meeting in March 2023.	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
License #160959 – Case No. 2023-000010		
Brief Discussion:	The board considered the application for license #160959 - Case No. 2023-000010. Chairman Bunch mentioned that this application was for a registered guide-outfitter license and that the applicant had a felony history. Aaron Bloomquist explained that the applicant currently holds an assistant guide license that the board previously tried to revoke because the applicant previously failed to disclose his criminal history on his original assistant guide application. He further explained that a judge ruled in his favor of keeping his license, but that the judge did not consider that the applicant is a convicted felon and cannot possess a firearm. He explained that the board has a firearms policy and that, while the applicant says he can carry a muzzleloader, a muzzleloader is unacceptable and inadequate in the field. He said that the board does not know if the applicant has filed to have his federal firearms rights restored and that he definitely did not at this time. He stated that every time the applicant touches a client’s gun, loads a client’s gun into a plane, or is in the field with a muzzleloader, he is committing a federal crime that is punishable by	

	<p>up to 10-plus years in prison. He said that he does not feel comfortable giving a license to someone and putting them in that type of situation, and that the board cannot condone it. He said that he does not necessarily agree with the law and that he feels bad for the applicant, but that the law is the law. He explained that the board's statutes require a guide to abide by state AND federal laws and that he would be voting no on the application. Chairman Bunch explained that he would be voting yes on the application because there is contradiction in federal and State law, and that State law allows a person to be in possession of a non-concealable firearm. He said that if the applicant were to get in trouble on federal land and a federal law enforcement officer had an issue with him being in possession of a firearm and they wanted to take that up, they could, but that is out of the board's purview. Martin Boniek said he would be voting yes for the same reasons that Chairman Bunch raised. Larry Kunder said he would be voting no because the applicant has not had his gun rights restored and that it would not be in the best interest of his clients because his inability to carry a gun puts his clients in jeopardy while out in the field. He said, while the applicant currently has an assistant guide license, he does not agree with it. He said that the law is to abide by State AND federal law, not "or," so both must be upheld. Jerry Burnett said he would be voting no on the application for many of the same reasons raised by Mr. Bloomquist and Mr. Kunder. He said that, although the applicant previously appealed the board's decision to revoke his assistant guide license and won, the administrative law judge did not consider the issues that are being considered at this time. He said that he feels that if the license is denied then the applicant can again appeal the board's decision and the issues that are being considered at this time will be reviewed by an administrative law judge. Pete Buist said that he would be voting no, but that he thought of it as a path forward because, if the license was denied and the applicant appealed, the board would get an answer from the courts. He said that board members are not attorneys and that having a judge's opinion in this matter is hopefully what happens.</p>	
Motion:	Move to approve the applicant for licensure in Case No. 2023-000010 (First: Pete Buist; Second: Mike Flores).	
Recorded Votes:	Buist - No	Burnett - No
	Boniek - Yes	Flores - No
	Bloomquist - No	Kunder - No
	Bunch - Yes	
7. Exam Update		
Brief Discussion:	<p>Chairman Bunch informed the board that their GMU exams are outdated and that they need to be updated because many of the exams have bad questions and answer keys. He said that he's already reviewed many of the exams, but that, instead of changing the questions and answer keys he wanted to readdress how the exams are written. He said that he wants to create a workgroup to address the issue and that he wanted to make all of the exams the same, with the same questions, so that the exams did not need updated so frequently. The board reviewed options that Senior Assistant Attorney General Megyn Weigand provided to them for how to update the exams. The board discussed possibly</p>	

	changing the requirements to be able to sit for a GMU exam. After discussion, the board decided to create a workgroup that Jason would lead.	
Motion:	Move to create a workgroup, that Jason Bunch will lead, to update the board's exams. (First: Aaron Bloomquist; Second: Jerry Burnett).	
Recorded Votes:	Buist - Yes	Burnett -Yes
	Boniek - Yes	Flores - Yes
	Bloomquist - Yes	Kunder - Yes
	Bunch - Yes	
Brief Discussion:	Mike Flores asked where the board was on their proposed regulations. Mr. Bay informed the board that the regulation proposals were in the works but that they were very slow moving. The board asked Mr. Bay, if he could, to prioritize the GUA Registration and RGO Contract Requirements proposal because it would have an effect on licensees getting into the drawing at the end of the year.	
Brief Discussion:	Larry Kunder asked if there was anything in writing regarding a pecking order for resident hunters vs. nonresident hunters when it comes to subsistence. Jerry Burnett explained the process to Mr. Kunder and suggested he attend the Board of Game's upcoming Spring meeting if he wanted more information.	
Brief Discussion:	Chairman Bunch informed the board that there would be a public forum for the Guide Concessions Program Workgroup on Wednesday, March 29 th , and that it would be separate from the board meeting but that it would be held in the same room as their board meeting. Having nothing left to discuss, Chairman Bunch adjourned the meeting	
Adjourn:	2:48 p.m.	

Applicable Statute Sec. 08.54.600 (c) (1)

12 AAC 75.440. PROFESSIONAL ETHICS STANDARDS FOR PROVIDERS OF TRANSPORTATION SERVICES.

(e) if permitted to advertise or sell big game transportation services under AS 08.54, a transporter may not advertise or sell big game transportation services to be conducted solely on tidelands; a transporter may not provide big game transportation services on tidelands or below mean high water mark in fresh water, except on those tidelands and below mean high water mark lands that are immediately adjacent to uplands on which the transporter's clients are legally permitted to hunt; in this paragraph, "tidelands" has the meaning given in AS 38.05.965

Justification: There is an ongoing and increasing problem with transporters dropping off clients on beaches adjacent to private lands, thus aiding in blatant trespass. There is a similar ethics regulation for guides that prohibits guide services on beaches/below high-water areas adjacent to areas where they are not permitted to operate.

Applicable Statute: 08.54.650

12 AAC 75.XXX. Boat Based Transporters with Living Accommodations on Saltwater

(a) Boat based transporters as described in 08.54.650(b) shall

(1) only provide overnight accommodations for the total number of clients and crew as the number of people intended to be accommodated in permanent berths on each boat.

(2) have a captain onboard at all times on any boat with permanent living accommodations while clients are in the field or on the boat. This means that if there is a skiff present to take clients to shore it must be operated by a licensed captain, as per USCG regulations, AND there must be a licensed captain that remains on the larger boat.

(3) record the names of all captains and crew on transporter activity reports for each trip

(b) for the purposes of 08.54.650(b), “boat with permanent living quarters” means a boat that has:

(1) permanent berths intended exclusively for sleeping that are not removable, and are not contained in a removable pod, container, or other structure and,

(2) a head that contains a toilet, shower and sink appropriate for daily bathing and sanitation and,

(3) a galley that includes a permanently installed cook stove, dining area, refrigerator, and sink with hot running water large enough for sanitation for the intended occupancy of the boat.

Sec. 08.54.650. TRANSPORTER LICENSE. (a) A person is entitled to a transporter license if the person (1) applies for a transporter license on a form provided by the department; and (2) pays the license application fee and the license fee.

(b) A transporter may provide transportation services and accommodations to big game hunters in the field at a permanent lodge, house, or cabin owned by the transporter or on a boat with permanent living quarters located on salt water. A transporter may not provide big game hunting services without holding the appropriate license.

(c) A transporter shall provide an annual activity report on a form provided by the department. An activity report must contain all information required by the board by regulation.

Justification: The Legislative history indicates that the Marine Transporter statute was written to limit overnight, marine transporters to “Live Aboard” vessels. This has not recently been enforced and the expansion of those out of compliance has accelerated. In the last couple years many transporters based on smaller charter boats and commercial fishing boats have been operating more frequently creating safety issues and crowding situations in some areas as well as resource issues. The USCG has also implemented new safety regulations for inspected vessels that include multiple captains on each vessel and limited hours of service. The above regulation referencing captains is intended to provide the margin of safety the USCG has identified without dictating mandatory hours of service. This suite of regulations is intended to provide for the Legislative intent of the transporter Statute and provide for a safe and sanitary environment on overnight, vessel based transporter operations.

12 AAC 75.XXX. Marking of aircraft and boats used by guides and transporters

- (a) aircraft used by a guide or transporter shall be marked with 12 inch FAA Registration numbers, not less than 1” thick in a color that contrasts with the background and is easily visible from a distance.
- (b) any boat over 24 feet (length is a placeholder and should be discussed) in length used by a guide or transporter must be marked with 12 inch numbers, on both sides of the vessel that are not less than 1” thick in a color that contrasts with the background and is easily visible from a distance. The number shall include the guide license number for guides prefixed by the letter “G”, and the the Transporter license number for Transporters prefixed by the letter “T”.

All airplane Transporters are already required to have 12” numbers as well as any guide operating on Federal Lands. This should be standard across the board. The public often assumes people are guides if someone is using their airplane inappropriately. Most of the time it is not a guide. This would make for easy identification of guide aircraft. If someone says it had small numbers or none, it would eliminate a guide from the complaint. On the flip side, some unscrupulous guides in the past have been famous for creative ways to obscure their numbers on generic looking super cubs. This would help the public and law enforcement identify them.

The same arguments could be used for vessels. In addition, having a number, identifiable from afar may allow Law enforcement to identify a vessel that has already been checked satisfactorily recently and avoid redundant checks and disruption of hunts.

12 AAC 75.XXX. Marking of aircraft and boats used by guides and transporters

- (a) **any boat used by a guide or transporter must be marked with a 12 inch diameter circle sticker, on both sides of the vessel. Transporter vessel stickers are to be bright orange, and Guide vessel stickers are to be bright yellow.**

12 AAC 75.XXX. Marking of aircraft and boats used by guides and transporters

- (a) **aircraft used by a guide or transporter shall be marked with 12 inch FAA Registration numbers, not less than 1" thick in a color that contrasts with the background and is easily visible from a distance.**

All airplane Transporters are already required to have 12" numbers as well as any guide operating on Federal Lands. This should be standard across the board. The public often assumes people are guides if someone is using their airplane inappropriately. Most of the time it is not a guide. This would make for easy identification of guide aircraft. If someone says it had small numbers or none, it would eliminate a guide from the complaint. On the flip side, some unscrupulous guides in the past have been famous for creative ways to obscure their numbers on generic looking super cubs. This would help the public and law enforcement identify them.

Helicopter use

12 AAC 75.XXX

Transporters or Guides of any level may not use a helicopter in any manner for guiding or transporting, or to aid in guiding or transporting, including transportation to, or from, the field of any unprocessed game or parts of game, any hunter or hunting gear, or any equipment. "Equipment" includes, but is not limited to vehicles, building materials, shelters, equipment for building runways, animal feed, furniture, etc; this paragraph does not apply to transportation of a hunter, hunting gear, or game during an emergency rescue operation in a life-threatening situation or to remove a wrecked aircraft from the field;

Justification: We have had a couple cases recently in which the Troopers would have like to prosecute helicopter use offenses but the DA has been reluctant. It always seemed clear to most of the industry that the below provision prohibiting the use of Helicopters for hunting was absolute. It seems that some are now interpreting it to allow for incidental helicopter use in the case of vehicles, cabins, and other equipment. This is not and has not ever been the intent of this Board.

"5 AAC 92.080. Unlawful methods of taking game; exceptions

The following methods of taking game are prohibited:

knowingly, or with reason to know, with the use of a helicopter in any manner, including transportation to, or from, the field of any unprocessed game or parts of game, any hunter or hunting gear, or any equipment used in the pursuit or retrieval of game; this paragraph does not apply to transportation of a hunter, hunting gear, or game during an emergency rescue operation in a life-threatening situation;"

Proposal:

12 AAC 75.230. GUIDE USE AREA REGISTRATION. (a) The department will register an applicant in a guide use area if the applicant meets the requirements of AS 08.54.750 and this section. For each guide use area for which a registered guide-outfitter is registering, the registered guide-outfitter shall submit the following information on a form provided by the department:

- (1) the applicant's registered guide-outfitter license number;
- (2) the guide use area for which the registered guide-outfitter is registering;
- (3) certification in the game management unit in which the registered guide-outfitter is applying;
- (4) a sworn statement by the applicant attesting to the required land use authorization;
- (5) a sworn statement by the applicant attesting to the ability to provide services on at least 5,000 contiguous acres of uplands in the guide use area requested;
- (6) ~~whether registration is for a single calendar year or multiple calendar years.~~

~~(b) Unless it is issued for multiple calendar years, a guide use area registration issued under AS 08.54.750 and this section expires on December 31 of each year. A registration for multiple calendar years expires on December 31 of the last year for which it is issued. To re-register, the registered guide-outfitter must again submit a complete application under (a) of this section.~~

(c) A registered guide-outfitter may register for a maximum of five calendar years ending on December 31, including the calendar year in which the registration becomes effective. A registration for multiple calendar years may be withdrawn or changed annually **if the GUA being withdrawn or changed has not been used in the that year. This includes attempting to get hunters drawn for limited entry drawings for that GUA, in which case the guide must have been registered for the GUA in the year of the December draw application period AND the year the hunt would have taken place. Both of these years will be considered used and may not be withdrawn. No refunds will be issued for the years left on a multiple year registration if it is withdrawn.** ~~with the withdrawal or change to take effect on or after January 1 of the next calendar year.~~

(d) In accordance with AS 08.54.750, a registration will be considered effective 30 days after the date the registration is submitted to the department, or 30 days after the date the application is considered complete, whichever is later.

(e) A registered guide-outfitter who is registered in three guide use areas may register for and conduct big game hunting services in a portion of one additional guide use area on federal land adjacent to a guide use area for which the registered guide-outfitter is already registered if the registered guide-outfitter meets the requirements of (a)(1) – (5) and (f) of this section, and submits

(1) the guide use area map that identifies the portion of the additional guide use area that is located on federal land and is adjacent to a guide use area for which the registered guide-outfitter is currently registered; and

(2) a letter from the federal landholder that states that the area would otherwise remain unused by a registered guide-outfitter because the boundaries do not coincide with boundaries of a federal big game guide concession or permit area.

(f) A registered guide-outfitter may not register for, or provide services within, a guide use area unless the applicant has written authorization by the landowner or appropriate representative in the form of a permit, registration or letter to provide big game hunting services on at least 5,000 contiguous acres of uplands in the guide use area.

~~(g) A registered guide-outfitter or master guide-outfitter who was unable to hunt a brown bear in game management unit 9 in the spring 2020 season may register for the 2021 spring brown bear season in game management unit 9, if~~

~~(1) the registered guide outfitter or master guide outfitter registers on a form provided by the department; (2) the registered guide outfitter or master guide outfitter provides either~~

~~(A) a current registration, valid as of April 10, 2020, for the same guide use area for which the registration is submitted; or~~

~~(B) copies of completed, signed, and dated hunt contracts for the 2020 spring bear season in game management unit 9 indicating that the registered guide outfitter or master guide outfitter had booked clients who were later unable to complete the contracted hunt and an attestation that the registered guide outfitter or master guide outfitter would have registered before the April 10, 2020 deadline; and~~

~~(3) the clients for whom the registered guide outfitter or master guide outfitter will provide services have not hunted brown bear in a guide use area within game management unit 9 since May 10, 2020.~~

(h) A registered guide-outfitter or master guide-outfitter must register for a minimum of three years in a guide use area at the time of registration.

12 AAC 75.260. REGISTERED GUIDE-OUTFITTER CONTRACT REQUIREMENTS

(d) A contracting registered or master guide who is signing the hunt contract, and who intends to apply a client for a drawing hunt permit for a hunt conducted under regulations required under AS 16.05, shall obtain a unique verification code for each guide use area in which a unique verification code is required from the department before entering an application for the client. Unique verification codes will only be issued to registered or master guides who are registered in a guide use area located in the hunt area the year the application is made and the years the permit is valid; **except a contracting guide may receive a code and apply a client in a new concession area in which the permit for the concession is authorized but not valid until the year of the hunt as long as the Concessionaire registers for the guide use area before hunting.** Unique verification codes are current until the associated guide use area registration expires or is withdrawn or amended. Unique verification codes may only be utilized by the contracting registered or master guide who is applying clients for a drawing hunt permit.

Who is likely benefit? All Licensees. This is largely a housekeeping proposal with one substantive change. That substantive change is to allow guides to change or withdraw a GUA that they have not used, at any time, rather than having that withdrawal or change wait until Jan 1 of the following year. The Jan 1 date is arbitrary and has caused a hardship for licensees that have had situations change after January 1 but need to make changes before hunting season. An example of this is if someone buys a new business or gets a new Federal Concession after Jan1. Some of these business sales involve hundreds of thousands of dollars and great financial hardship may be encountered if they are not allowed to operate simply because the deal closed after January 1 but well before any hunting seasons. The current regulation essentially makes them take a year of from guiding in those areas. It also makes clear that there will be no refunds for withdrawals. This has been the practice but was not in regulation so some licensees didn't know. It also changes the UVC language to allow guides to apply clients in a concession area where they WILL be authorized in the following year without needing to register the year of the application. This is necessary because Federal Permits are sometimes issued more than a year out and it would be impossible to register a GUA in an area where a guide is not yet authorized to guide, even though they have been issued a permit to

guide there in the coming years. We are also removing any reference to a single year registration and the covid specific regulations that applied to 2020 and 2021.

Who is likely to suffer? No one will suffer any more than they already have. The non-refund for withdrawals of GUA's could be seen as financial suffering for some but this has already been the practice. The fee is to register the GUA's, not for the use of the GUA.

What will happen if nothing is done? People will suffer the ramifications of not being able to guide in areas in which they are authorized by the land manager but not able to register a GUA simply because they got authorization after January 1 of the year they plan to hunt. Concessionaires would need to forgo a whole year of hunting drawing species in new Concessions because they didn't have authorization to operate in the area, therefore being unable to obtain a GUA registration that year. Even if there was enough land of a different type in the GUA to obtain a GUA, they would be forced to burn 1 of their 3 GUAs without operating simply to put people in for the drawings. There will also be confusion with reference to single year registrations and unnecessary covid-specific regs on the books.

Submitted By Aaron Bloomquist
Po box 871
Palmer Ak 99645

Proposal:

12 AAC 75.230. GUIDE USE AREA REGISTRATION. (a) The department will register an applicant in a guide use area if the applicant meets the requirements of AS 08.54.750 and this section. For each guide use area for which a registered guide-outfitter is registering, the registered guide-outfitter shall submit the following information on a form provided by the department:

- (1) the applicant's registered guide-outfitter license number;
- (2) the guide use area for which the registered guide-outfitter is registering;
- (3) certification in the game management unit in which the registered guide-outfitter is applying;
- (4) a sworn statement by the applicant attesting to the required land use authorization;
- (5) a sworn statement by the applicant attesting to the ability to provide services on at least 5,000 contiguous acres of uplands in the guide use area requested;
- (6) ~~whether registration is for a single calendar year or multiple calendar years.~~

~~(b) Unless it is issued for multiple calendar years, a guide use area registration issued under AS 08.54.750 and this section expires on December 31 of each year. A registration for multiple calendar years expires on December 31 of the last year for which it is issued. To re-register, the registered guide-outfitter must again submit a complete application under (a) of this section.~~

(c) A registered guide-outfitter may register for a maximum of five calendar years ending on December 31, including the calendar year in which the registration becomes effective. A registration for multiple calendar years may be withdrawn or changed annually **before April 1, if the GUA being withdrawn or changed has not been used in the that year. This includes attempting to get hunters drawn for limited entry drawings for that GUA, in which case the guide must have been registered for the GUA in the year of the December draw application period AND the year the hunt would have taken place. Both of these years will be considered used and may not be withdrawn. No refunds will be issued for the years left on a multiple year registration if it is withdrawn.** ~~with the withdrawal or change to take effect on or after January 1 of the next calendar year.~~

(d) In accordance with AS 08.54.750, a registration will be considered effective 30 days after the date the registration is submitted to the department, or 30 days after the date the application is considered complete, whichever is later.

(e) A registered guide-outfitter who is registered in three guide use areas may register for and conduct big game hunting services in a portion of one additional guide use area on federal land adjacent to a guide use area for which the registered guide-outfitter is already registered if the registered guide-outfitter meets the requirements of (a)(1) – (5) and (f) of this section, and submits

(1) the guide use area map that identifies the portion of the additional guide use area that is located on federal land and is adjacent to a guide use area for which the registered guide-outfitter is currently registered; and

(2) a letter from the federal landholder that states that the area would otherwise remain unused by a registered guide-outfitter because the boundaries do not coincide with boundaries of a federal big game guide concession or permit area.

(f) A registered guide-outfitter may not register for, or provide services within, a guide use area unless the applicant has written authorization by the landowner or appropriate representative in the form of a permit, registration or letter to provide big game hunting services on at least 5,000 contiguous acres of uplands in the guide use area.

~~(g) A registered guide outfitter or master guide outfitter who was unable to hunt a brown bear in game management unit 9 in the spring 2020 season may register for the 2021 spring brown bear season in game management unit 9, if~~

~~(1) the registered guide outfitter or master guide outfitter registers on a form provided by the department; (2) the registered guide outfitter or master guide outfitter provides either~~

~~(A) a current registration, valid as of April 10, 2020, for the same guide use area for which the registration is submitted; or~~

~~(B) copies of completed, signed, and dated hunt contracts for the 2020 spring bear season in game management unit 9 indicating that the registered guide outfitter or master guide outfitter had booked clients who were later unable to complete the contracted hunt and an attestation that the registered guide outfitter or master guide outfitter would have registered before the April 10, 2020 deadline; and~~

~~(3) the clients for whom the registered guide outfitter or master guide outfitter will provide services have not hunted brown bear in a guide use area within game management unit 9 since May 10, 2020.~~

(h) A registered guide-outfitter or master guide-outfitter must register for a minimum of three years in a guide use area at the time of registration.

12 AAC 75.260. REGISTERED GUIDE-OUTFITTER CONTRACT REQUIREMENTS

(d) A contracting registered or master guide who is signing the hunt contract, and who intends to apply a client for a drawing hunt permit for a hunt conducted under regulations required under AS 16.05, shall obtain a unique verification code for each guide use area in which a unique verification code is required from the department before entering an application for the client. Unique verification codes will only be issued to registered or master guides who are registered in a guide use area located in the hunt area the year the application is made and the years the permit is valid; **except a contracting guide may receive a code and apply a client in a new concession area in which the permit for the concession is authorized but not valid until the year of the hunt as long as the Concessionaire registers for the guide use area before hunting.** Unique verification codes are current until the associated guide use area registration expires or is withdrawn or amended. Unique verification codes may only be utilized by the contracting registered or master guide who is applying clients for a drawing hunt permit.

Who is likely benefit? All Licensees. This is largely a housekeeping proposal with one substantive change. That substantive change is to allow guides to change or withdraw a GUA that they have not used, at any time, rather than having that withdrawal or change wait until Jan 1 of the following year. The Jan 1 date is arbitrary and has caused a hardship for licensees that have had situations change after January 1 but need to make changes before hunting season. An example of this is if someone buys a new business or gets a new Federal Concession after Jan1. Some of these business sales involve hundreds of thousands of dollars and great financial hardship may be encountered if they are not allowed to operate simply because the deal closed after January 1 but well before any hunting seasons. The current regulation essentially makes them take a year of from guiding in those areas. It also makes clear that there will be no refunds for withdrawals. This has been the practice but was not in regulation so some licensees didn't know. It also changes the UVC language to allow guides to apply clients in a concession area where they WILL be authorized in the following year without needing to register the year of the application. This is necessary because Federal Permits are sometimes issued more than a year out and it would be impossible to register a GUA in an area where a guide is not yet authorized to guide, even though they have been issued a permit to

guide there in the coming years. We are also removing any reference to a single year registration and the covid specific regulations that applied to 2020 and 2021.

Who is likely to suffer? No one will suffer any more than they already have. The non-refund for withdrawals of GUA's could be seen as financial suffering for some but this has already been the practice. The fee is to register the GUA's, not for the use of the GUA.

What will happen if nothing is done? People will suffer the ramifications of not being able to guide in areas in which they are authorized by the land manager but not able to register a GUA simply because they got authorization after January 1 of the year they plan to hunt. Concessionaires would need to forgo a whole year of hunting drawing species in new Concessions because they didn't have authorization to operate in the area, therefore being unable to obtain a GUA registration that year. Even if there was enough land of a different type in the GUA to obtain a GUA, they would be forced to burn 1 of their 3 GUAs without operating simply to put people in for the drawings. There will also be confusion with reference to single year registrations and unnecessary covid-specific regs on the books.

Submitted By Aaron Bloomquist
Po box 871
Palmer Ak 99645

12 AAC 75.240. SUPERVISION.

(a) A registered guide-outfitter who contracts to guide a hunt shall plan, direct, and monitor the big game hunting services provided to the client. **The contracting registered guide-outfitter must be physically present in the State of Alaska in a location where they can respond to the communications and needs of clients and employees participating in currently contracted hunts.**

(b) At the conclusion of the hunt, a registered guide-outfitter who contracts to guide a hunt shall evaluate the performance of the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the hunt to determine whether the big game hunting services provided to the client were satisfactory.

(c) To comply with (b) of this section, the contracting registered guide-outfitter shall ~~verbally communicate, by telephone or radio, or in person,~~ with the client and the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the hunt, separately or together, at least once within 10 days after the conclusion of the hunt. The contracting registered guide-outfitter shall obtain the necessary information to evaluate the performance of the assistant guide, the class-A assistant guide, or registered guide-outfitter and determine whether the big game hunting services were provided safely, in accordance with state and federal law, and to the satisfaction of the client.

~~(d) The contracting registered guide-outfitter shall make a good faith effort to verbally communicate with the client to obtain the necessary information to evaluate the performance of the assistant guide, class A assistant guide, or registered guide-outfitter. If the attempt to verbally communicate with the client is unsuccessful, the contracting registered guide-outfitter shall write to the client and request the necessary information to evaluate the performance of the assistant guide, the class A assistant guide, or registered guide-outfitter. The contracting registered guide-outfitter shall write to the client within 60 days after the conclusion of the hunt.~~

(e) A registered guide-outfitter shall document on the hunt record the date the registered guide-outfitter complied with the ~~verbal, or if applicable the written,~~ client communication requirements in (c) and (d) of this section.

(f) The contracting registered-guide outfitter or a noncontracting registered guide-outfitter or class-A assistant guide supervising an assistant guide shall be ~~available in~~ **physically present in a location that allows for supervision of the contracted hunt by communication in person or by electronic means,** the same guide use area, or an adjacent guide use area with a common border, to direct and monitor the big game hunting services provided to the client, ~~except during times~~

~~When~~

The supervising guide must attempt to communicate daily and be available to communicate at all times with assistant guides to direct and monitor the big game hunting services provided to the client, except during times when an emergency situation exists that requires the guide's assistance; or an emergency situation exists that requires the guide's assistance; or the supervising guide's means of communication is malfunctioning for a reason out of the control of the supervising guide

(2) ~~the supervising guide must be in the field except~~ when the contracting registered guide-outfitter or noncontracting registered guide-outfitter or class-A assistant guide supervising the hunt is outside the guide use area or neighboring guide use area while

(A) in transit with, **or while processing** meat or trophies from the **current season of hunts** ~~that or a neighboring guide use area;~~

(B) in transit with, **or while acquiring** food, supplies, or clients directly associated with the **current season of hunts** ~~conducting guided hunts in that or a neighboring guide use area; or~~

(C) conducting important duties that are essential for **the safe** completion of **the current season of** ~~current~~ contracted hunts.

(D) conducting maintenance or repairs on vehicles necessary to complete the current season of hunts.

(E) conducting a hunt that primarily takes place in a location defined as outside of the "field" as defined in 08.54.790(7)

(F) conducting a hunt in which clients are primarily housed outside of the "field" as defined in 08.54.790(7)

(G) for the purposes of this section; “Current Season” means: a period of consecutive or nearly consecutive hunts

(g) Repealed 7/30/2006.

(h) In this section, "emergency situation" means a situation in which a person is in a remote area and

(1) is involuntarily experiencing an absence of food, water, shelter, or medical care required to sustain life or health;

(2) is lost;

(3) is unable to perform the functions necessary for survival, leading to a high risk of death or serious and permanent health problems without the assistance of the guide; or

(4) the guide's presence is necessary for a family medical condition.

(i) For purposes of the requirement in AS 08.54.610(e) for supervision of a contracted hunt, and in addition to the requirements of this section, the contracting registered guide-outfitter may plan, direct, and monitor a contracted hunt

(1) while in the field and present in

(A) ~~the same game management unit in which the contracted hunt is taking place;~~ **with currently contracted clients, or**

(B) ~~a game management unit adjacent to and sharing a common border with the unit in which the contracted hunt is taking place;~~ or **supervising assistant guide(s), and other staff; or**

(C) ~~a location that is no further than 50 miles from the nearest boundary of an area or unit described in (A) or (B) of this paragraph;~~ and

(2) **While outside of the field if** performing those activities, while in the field and present in a location listed in (1) of this subsection, is practicable; for purposes of this paragraph, planning, directing, and monitoring the contracted hunt is not practicable if the contracting registered guide-outfitter cannot communicate in person, communicate personally by telephone, or communicate personally by radio with the assistant guide, class A assistant guide, or registered guide-outfitter involved in the contracted hunt.

(A) as described in 08.54.620(b)(3), a non-contracting, supervising Registered Guide Outfitter or Class-A Assistant guide is in the field as described in (f) of this section. The contracting Guide must maintain daily communication and be available to communicate at all times with the supervising guide personally by telephone, radio or satellite device.

(B) conducting activities described in (f)(2) of this section

12 AAC 75.250. PARTICIPATION IN A HUNT.

(a) Repealed 6/2/2011.

(b) A registered guide-outfitter who contracts to guide a hunt and who is participating in a hunt as required in AS 08.54.630(b)(3) shall **attempt to** be in communication **daily**, either personally or through an agent, with the assistant guide, who is in the field with the client, ~~at least once during the hunt if the hunt is longer than five days.~~

(c) In this section, "communication" includes in-person contact, radio contact, telephone contact, **text messaging, email,** and signaling.

(d) A registered guide-outfitter who contracts to outfit a hunt shall

(1) before leaving a client in the field, advise the client of the date, time, and location at which the registered guide-outfitter will pick up the client and the course of action the client should follow if the registered guide-outfitter is unable to pick up the client as planned;

(2) ~~either personally or through a class A assistant guide, an assistant guide, or a licensed transporter,~~ transport **or arrange for the transportation of** the client into and out of the field at the planned date, time, and location, unless prevented by weather, mechanical problems, or other safety concerns; and

(3) check on or communicate with a client in the field as agreed to before transporting that client.

(e) A registered guide-outfitter who contracts to guide a hunt and who is participating in a hunt as required in AS 08.54.630 (b)(3) shall have available to each client, an electronic communication device capable of calling or sending a message to the contracting registered guide. The contracting registered guide will

provide their contact information to each client prior to the hunt. This device may be kept by an assistant guide as long it is made available to the client upon request.

Sec. 08.54.650. TRANSPORTER LICENSE. (a) A person is entitled to a transporter license if the person (1) applies for a transporter license on a form provided by the department; and

(2) pays the license application fee and the license fee.

(b) A transporter may provide transportation services and accommodations to big game hunters in the field at a permanent lodge, house, or cabin owned by the transporter or on a boat with permanent living quarters located on salt water. A transporter may not provide big game hunting services without holding the appropriate license.

(c) A transporter shall provide an annual activity report on a form provided by the department. An activity report must contain all information required by the board by regulation.

Sec. 08.54.720. UNLAWFUL ACTS. (a) It is unlawful for a

(12) person to knowingly provide transportation services to big game hunters without holding a current registered guide-outfitter license or transporter license;

(19) person who is licensed as a transporter, or who provides transportation services under a transporter license, to knowingly accompany or remain in the field with a big game hunter who is a client of the person except as necessary to perform the specific duties of embarking or disembarking big game hunters, their equipment, or big game animals harvested by hunters; this paragraph does not apply to a person who holds both a transporter license and a registered guide-outfitter license issued under this chapter when the person has a contract to provide guiding services for the client.

Sec. 08.54.790. DEFINITIONS. In this chapter,

(9) “guide” means to provide, for compensation or with the intent or with an agreement to receive compensation, services, equipment, or facilities to a big game hunter in the field by a person who accompanies or is present with the big game hunter in the field either personally or through an assistant; in this paragraph, “services”

Includes

(A) contracting to guide or outfit big game hunts;

(B) stalking, pursuing, tracking, killing, or attempting to kill big game;

(C) packing, preparing, salvaging, or caring for meat, except that which is required to properly and safely load the meat on the mode of transportation being used by a transporter;

(D) field preparation of trophies, including skinning and caping;

(E) selling, leasing, or renting goods when the transaction occurs in the field;

(F) using guiding or outfitting equipment, including spotting scopes and firearms, for the benefit of a hunter; and

(G) providing camping or hunting equipment or supplies that are already located in the field;

(12) “transportation services “transportation services” means the carriage for compensation of big game hunters, their equipment, or big game animals harvested by hunters to, from, or in the field; “transportation services” does not include the carriage by aircraft of big game hunters, their equipment, or big game animals harvested by hunters

(A) on nonstop flights between airports listed in the Alaska supplement to the Airmen’s Guide published by the Federal Aviation Administration; or

(B) by an air taxi operator or air carrier for which the carriage of big game hunters, their equipment, or big game animals harvested by hunters is only an incidental portion of its business; in this subparagraph, “incidental” means transportation provided to a big game hunter by an air taxi operator or air carrier who does not

(i) charge more than the usual tariff or charter rate for the carriage of big game hunters, their equipment, or big game animals harvested by hunters; or

(ii) advertise transportation services or big game hunting services to the public; in this sub- subparagraph, “advertise” means soliciting big game hunters to be customers of an air taxi operator or air carrier for the purpose of providing air transportation to, from, or in the field through the use of print or electronic media, including advertising at trade shows, or the use of hunt broker services or other promotional services.

Sec. 08.54.785. CHAPTER NOT APPLICABLE. The provisions of this chapter do not apply to a person providing, for compensation or with the intent to receive compensation, only accommodations to a big game hunter in the field at

- (1) a permanent lodge, house, or cabin on private land owned by the person; or
- (2) a state or federal cabin on state or federal land.

12 AAC 75.200. REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES. (a) In addition to the restrictions in AS 08.54.720, a registered guide-outfitter may provide transportation services only in a guide use area for which the guide-outfitter is registered, unless the guide-outfitter also holds a transporter license.

12 AAC 75.400. TRANSPORTER ACTIVITY REPORT.

(e) During portions of a hunt, a transporter is exempt from transporter activity report requirements of this section when providing transportation services for a client to, from, or in between specific locations operated by another transporter or registered guide-outfitter who has contracted this same hunt with the same client.

Big Game Commercial Services Board

Regulation Proposal

Is this a proposal for new regulation? NO

Is this proposal an amendment to an existing regulation? YES. 12 AAC 75.200

Proposal: Amend 12 AAC 75.200 to read.

12 AAC 75.200. REGISTERED GUIDE-OUTFITTER PROVIDING SERVICES.

(a) In addition to the restrictions in AS 08.54.720 and 12 AAC 75.340, a registered guide-outfitter may provide transportation services [ONLY]

(1) **within** a guide use area for which the guide-outfitter is registered. [UNLESS THE GUIDE-OUTFITTER ALSO HOLDS A TRANSPORTER LICENSE.]

(2) **to or from a guide use area as defined under Sec. 08.54.790 (7) if transportation services originate or terminate in a guide use area for which the guide-outfitter is registered; or**

(3) **unless the guide-outfitter also holds a transporter license.**

Who is likely to benefit? All Registered Guide Outfitters who transport clients to and from the field from a city, town or village or from an accessible area which is located outside of a guide use area from which they are providing services.

Who is likely to suffer? It is important to ensure the provision of transportation in this manner does not harm or affect the services of a current Registered Guide Outfitter operating in the area.

What will happen if nothing is done? This is to clarify historic, generally acceptable practices for areas with limited to no access or areas that can be accessed by a city, town or village. It has been historically acceptable to allow for transit through an unregistered guide use area as long as accommodations are not being provided in the unregistered guide use area unless they are on privately owned land with a permanent structure.



PROBATION REPORT

DATE: March 15, 2023

TO: Alaska Big Game Commercial Services Board

THROUGH: Jennifer Summers, Senior Investigator

FROM: Katrina Eldred, Probation Monitor

SUBJECT: Probation Report for the March 28, 2023 Meeting

DocuSigned by:
J. Summers
A8D47E162AD149B...

DocuSigned by:
Katrina Eldred
D63A12B86C91483...

The following is a complete list of individuals on probation for this Board. All individuals are in compliance with their agreements except as noted below. There are currently **twenty-two (22)** licenses on probation as of the date of this document. Since the last probation report, **zero (0)** licenses were released from probation. All personnel are in compliance except as noted below.

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>End of Probation</u>
*Huffman, Shawn	2022-000802	08/16/2022	08/16/2023
Elliott, Glenn	2022-000804	08/16/2022	08/16/2023
Stone, Jonathan	2022-000795	08/16/2022	08/16/2023
*Huntington, Gilbert	2022-000797	08/16/2022	08/16/2028
Mize, Sterling	2022-000786	08/16/2022	08/16/2023
*Walker, John	2020-001047	07/22/2020	Suspended
Whitehead, Kurt	2022-000321	03/30/2022	03/30/2023
Hedlund, Thomas	2022-000322	03/30/2022	03/30/2023
Augustine, Ryan	2021-000252	03/24/2021	03/24/2023
Hyce, Richard	2021-000253	03/24/2021	03/24/2023

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>End of Probation</u>
Roberts, Clayton	2021-000255	03/24/2021	03/24/2024
Cates, Jerry	2021-000282	03/19/2020	03/19/2023
Burns, Bradford	2021-000278	03/24/2021	03/24/2023
Butler, Creig	2021-000646	07/27/2021	09/05/2023
*Cavner, Preston	2020-000741	07/22/2020	09/21/2022
Malone, Paul	2019-000173	08/12/2020	08/12/2023
Pierce, Ernest	2022-000323	11/23/2022	11/23/2023
Vanstrom, Michael	2023-000199	12/05/2022	12/06/2028
Pitts, Riley	2023-000201	02/28/2023	02/28/2025
Daniels, Kelly	2023-000202	02/28/2023	02/28/2024
Welker, Roland	2023-000204	02/28/2023	02/28/2024
Swift, Mark	2023-000206	02/28/2023	02/28/2025

RELEASE FROM PROBATION:

<u>Name</u>	<u>Case Number</u>	<u>Start of Probation</u>	<u>Release Date</u>	<u>Status</u>
-------------	--------------------	---------------------------	---------------------	---------------

NOTES:

- *Huffman, Shawn Mr. Huffman’s Consent Agreement was adopted on August 16, 2022 and stipulated a one-year probation and a \$4,500 fine with \$3,000 suspended due by February 12, 2023. Mr. Huffman has not made any payments on this fine.

- *Huntington, Gilbert Mr. Huntington’s Consent Agreement was adopted on August 16, 2022 and stipulated a one-year suspension, followed by a five-year probation and a \$17,000 fine with \$11,000 suspended due by August 16, 2024. A payment of \$2,000 was due by February 12, 2023. Mr. Huntington has not made any payments on this fine.

*Walker, John:

Mr. Walker's OAH Decision was adopted on July 22, 2020 and stipulated a one-year probation and a \$4,000 fine with \$2,000 suspended due by January 22, 2021. Mr. Walker became non-compliant in January of 2021 when he failed to pay the civil fine in full by the due date. The Division made numerous attempts to contact Mr. Walker. All attempts have resulted in no contact with Mr. Walker. Mr. Walker's license was suspended on July 23, 2021, and the full fine was invoked due to non-compliance with his Consent Agreement. The Notice of Suspension was successfully served by the Alaska State Troopers on January 7, 2022. During service, Mr. Walker reported that he does not intend to guide in the future. The Division has been in communication with the Alaska State Troopers to serve Mr. Walker with a voluntary surrender of license.

*Cavner, Preston

Mr. Cavner is in compliance with the terms of his probation. This case is waiting on approval to close.



MEMORANDUM

DATE: March 14, 2023
TO: Big Game Commercial Services Board
THRU: Greg Francois, Chief Investigator ^{DS}
FROM: Lee Strout, Investigator 
RE: Investigative Report for the March 28, 2023 Meeting

The following information was compiled as an investigative report to the Board for the period of November 22, 2022 thru March 14, 2023; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 48

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
--------------------	-----------------------	--------------------	--------------------

ASSISTANT GUIDE

2021-000759	License application problem	Complaint	09/22/2021
2021-001101	Criminal action - conviction	Monitor	02/19/2023
2021-000314	Unlicensed practice or activity	Investigation	11/30/2021

GUIDE-OUTFITTER

2023-000151	Violation of licensing regulation	Intake	02/14/2023
2023-000166	Violation of licensing regulation	Intake	02/22/2023
2020-001017	Violation of licensing regulation	Complaint	11/24/2020
2021-000680	Violation of licensing regulation	Complaint	08/10/2021
2021-001029	Criminal action - no conviction	Complaint	12/01/2021

2022-000176	Breach of fiduciary duty	Complaint	03/09/2022
2022-000222	Criminal action - no conviction	Complaint	04/04/2022
2022-000244	Criminal action - conviction	Complaint	03/15/2022
2022-000406	Criminal action - no conviction	Complaint	05/03/2022
2022-000407	Criminal action - conviction	Complaint	05/03/2022
2022-000686	Criminal action - conviction	Complaint	07/20/2022
2022-000799	Violation of licensing regulation	Complaint	08/30/2022
2022-000906	Violation of licensing regulation	Complaint	11/22/2022
2023-000158	Violation of licensing regulation	Complaint	02/16/2023
2021-000624	Criminal action - no conviction	Monitor	
2021-000315	Breach of fiduciary duty	Investigation	12/15/2021
2021-000706	Violation of licensing regulation	Investigation	11/23/2022
2021-000712	Violation of licensing regulation	Investigation	11/29/2022
2021-000873	Violation of licensing regulation	Investigation	11/29/2022
2021-001082	Criminal action - no conviction	Investigation	05/16/2022
2022-000192	Violation of licensing regulation	Investigation	04/11/2022
2022-001145	Violation of licensing regulation	Investigation	01/03/2023

MASTER GUIDE-OUTFITTER

2020-000135	Breach of fiduciary duty	Complaint	03/04/2020
2022-000099	Violation of licensing regulation	Complaint	03/22/2022
2022-000100	Criminal action - no conviction	Complaint	01/31/2022
2022-000576	Violation of licensing regulation	Complaint	07/06/2022
2022-000577	Criminal action - no conviction	Complaint	06/16/2022
2022-000615	Criminal action - conviction	Complaint	06/29/2022
2022-001050	Violation of licensing regulation	Complaint	10/25/2022
2023-000008	Violation of licensing regulation	Complaint	01/04/2023
2023-000023	Violation of licensing regulation	Complaint	01/17/2023
2022-000179	Violation of licensing regulation	Monitor	
2021-000623	Criminal action - no conviction	Investigation	12/26/2022
2021-000627	Criminal action - no conviction	Investigation	09/26/2022

2022-000210	Violation of licensing regulation	Investigation	10/06/2022
TRANSPORTER			
2020-000924	Violation of licensing regulation	Complaint	10/01/2020
2022-000170	Criminal action - no conviction	Complaint	03/07/2022
2022-000345	Breach of fiduciary duty	Complaint	05/03/2022
2022-000441	Criminal action - no conviction	Complaint	06/14/2022
2022-000442	Criminal action - no conviction	Complaint	06/22/2022
2022-000443	Criminal action - no conviction	Complaint	06/14/2022
2022-000444	Criminal action - no conviction	Complaint	06/22/2022
2019-000483	Criminal action - no conviction	Investigation	04/06/2022
2019-000589	Falsified application	Investigation	04/06/2022
2020-000486	Violation of licensing regulation	Investigation	05/26/2020

Closed - 24

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
---------------	-----------------------	--------------------	---------------	----------------

ASSISTANT GUIDE

2022-001194	License application problem	Closed-Intake	12/27/2022	Review Complete
2023-000165	License application problem	Closed-Intake	03/08/2023	Review Complete
2023-000211	License application problem	Closed-Intake	03/14/2023	Review Complete
2023-000125	License application problem	Closed-Complaint	03/14/2023	Review Complete
2021-001302	Violation of licensing regulation	Closed-Investigation	03/07/2023	License Action
2022-000772	Criminal action - conviction	Closed-Investigation	01/04/2023	License Action
2022-000830	Falsified application	Closed-Investigation	03/07/2023	License Action
2022-000998	Criminal action - conviction	Closed-Investigation	03/13/2023	License Action
2022-001126	Criminal action - conviction	Closed-Investigation	03/07/2023	License Action
2022-001146	Criminal action - conviction	Closed-Investigation	03/07/2023	License Action

GUIDE-OUTFITTER

2023-000010	License application problem	Closed-Intake	01/05/2023	Review Complete
2023-000100	License application problem	Closed-Intake	01/30/2023	Review Complete
2023-000193	License application problem	Closed-Intake	03/14/2023	Review Complete
2021-000405	Criminal action - no conviction	Closed-Complaint	01/05/2023	No Action - No Violation
2020-000051	Criminal action - conviction	Closed-Investigation	03/07/2023	License Action
2021-000968	Criminal action - conviction	Closed-Investigation	03/07/2023	License Action
2022-000705	Criminal action - conviction	Closed-Investigation	01/24/2023	License Action
2022-001062	Criminal action - conviction	Closed-Investigation	03/07/2023	License Action

MASTER GUIDE-OUTFITTER

2022-000160	Breach of fiduciary duty	Closed-Investigation	03/07/2023	License Action
2022-000248	Criminal action - no conviction	Closed-Investigation	01/04/2023	License Action

TRANSPORTER

2022-001114	Violation of licensing regulation	Closed-Intake	01/24/2023	Incomplete Complaint
2022-001198	Violation of licensing regulation	Closed-Intake	01/31/2023	Incomplete Complaint
2023-000102	License application problem	Closed-Intake	01/31/2023	Review Complete
2023-000178	Advertising	Closed-Complaint	03/07/2023	No Action - Lack of Jurisdiction

END OF REPORT

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Big Game Commercial Services Board enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____

Board staff member(s) _____ to remain during the session.

Off record: _____

On record: _____

Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;
- **subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- **matters which by law, municipal charter, or ordinance are required to be confidential;**
- matters involving consideration of government records that by law are not subject to public disclosure.

B. Marine Transporter - Vessel and Captain Requirements

C. Guides and Transporters - Boat and Plane Identification

D. Helicopter Use

E. GUA Registration and RGO Contract Requirements

F. Supervision and Participation

G. Guides Providing Transportation Services

8. 3:30pm Investigations Unit/Tabled Applications

A. Probation Monitor Report

B. Investigative Report

C. Executive Session

i. License #197273 - Case No. 2022-001194

9. 4:30pm Recess

DRAFT



Big Game Commercial Services Board - Spring Meeting

Alaska Division of Corporations, Business and Professional Licensing
Mar 28, 2023, at 9:00 AM AKDT to Mar 30, 2023, at 4:30 PM AKDT
Pike's Waterfront Lodge: 1850 Hoselton Rd. Fairbanks, AK 99709

Meeting Details:

<https://us02web.zoom.us/j/9876543210?pwd=9876543210>

Call in: (669)900-6833

Meeting ID: 856 7072 0954

Passcode: 553842

TENTATIVE MEETING AGENDA (DAY 2)

March 29, 2023

- 10. 9:00am Roll Call**
- 11. 9:05am Agenda Review**
- 12. 9:10 am Summary/Motions from Executive Session**
- 13. 9:30am Public Comment**
- 14. 10:15am BREAK**
- 15. 10:30am Workgroup Updates/Formation of New Committees/Workgroups**
 - A. Exams - Jason Bunch**
 - i. GMU Testing**
 - ii. RGO Testing**
 - iii. Assistant Guide Testing**
 - B. Transporters - Mike Flores**
 - i. Regulations in Process**
 - ii. Regulations for Transporter Activity Report**
 - C. Concession Program Update – Jason Bunch**
- 16. 12:00pm Lunch Break**
- 17. 1:00pm Regulation Proposals - New proposals**
 - A. Hunt Planners (Larry Bartlett)**
 - B. Supervision (Wayne Kubat)**
 - C. Transporter Activity Report Revision (Mike Flores)**
- 18. 2:45pm BREAK**
- 19. 3:00pm Public Comment**
- 20. 4:30pm Recess**



Big Game Commercial Services Board - Spring Meeting

Alaska Division of Corporations, Business and Professional Licensing
Mar 28, 2023, at 9:00 AM AKDT to Mar 30, 2023, at 4:30 PM AKDT
Pike's Waterfront Lodge: 1850 Hoselton Rd. Fairbanks, AK 99709

Meeting Details:

https://us02web.zoom.us/j/90215Aq5Y2thrkNCmaDFK?icsToken=98tyKuGtgDwqHdaVuRyDRpwMBI_Cc-3zpmJEgvp-ti_fKnVyc1bPZPZKILIRM9XR

Call in: (669)900-6833

Meeting ID: 856 7072 0954

Passcode: 553842

TENTATIVE MEETING AGENDA (DAY 3)

March 30, 2023

- 21. 9:00am Roll Call**
- 22. 9:05am Review Agenda**
- 23. 9:15am Public Comment**
- 24. 9:45am Break**
- 25. 10:00am Position Statements**
 - A. Helicopter Use**
 - B. Partnerships**
 - C. Hunt Record Signing**
- 26. 10:30am Prioritize Ongoing Projects (continued)**
- 27. 12:00pm Lunch Break**
- 28. 1:00pm Division Update**
 - A. Current fiscal report**
 - B. Information Technology Project**
 - C. Executive Administrator Position**
 - D. Part-time Investigator**
 - E. Funding for Board of Game Attendance**
 - i. Deadline to Request**
 - F. Fee analysis**
 - G. Request for Expenditure Authority (training requested)**
- 29. 1:30pm Regulation Projects**
- 30. 2:00pm Board Business**
 - A. New Business**

i. Annual Report

ii. Sunset Legislative Audit

31. 3:00pm Administrative Business

32. 3:30pm Task List

33. 4:00pm Adjourn

DRAFT

**State of Alaska
Department of Commerce, Community &
Economic Development Division of Corporations,
Business, and Professional Licensing Big Game
Commercial Services Board**



Public Comment

The board chair shall open public comment. The time allotted for comment will be divided between all individuals signed in to give comment. The group will be told how much time each person will have to speak; board staff will keep track of the time and notify the individual when they need to wrap up their comment(s).

This is not the time for the board to respond to the comments. The board can choose to respond to any comments at the end of the comment period; they can choose to send a letter with their responses to the individual; or they can choose to not respond.

Please be mindful of the time limit so that all who choose to speak will be given the same opportunities.

Big Game Commercial Services Board
REGULATION PROPOSAL

RECEIVED

JAN 26 2023

COPIES
JUN 20

If you wish your proposal to be considered by the Board at the next scheduled meeting, the proposal must be received by the Division by close of business 45 days before the first day of the scheduled meeting. You may photocopy this form if necessary.

Proposals must be typed or printed legibly in ink.

Is this a proposal for a new regulation? YES NO

If "yes", which Alaska Statute (AS) under 08.54 supports your new regulation? AS 08.54.750

Is this proposal an amendment to an existing regulation? YES NO

If "yes", what is the regulation number? AAC 75.

Proposal: Require Hunt Planners to register with BGCSB to define clear operational parameters for Use Areas and to limit user conflict with guides and other hunt planners on state and public lands.

Who is it likely to benefit: Guides, Hunt Planners and clients would benefit by a symbiotic dispersal of hunting activities to prevent over crowding and over harvest in any one drainage within any given GMU.

Who is likely to suffer? no user group is likely to suffer, except the aggressive hunt planner expanding blindly into habitat and range of another's Use Area.

What will happen if nothing is done? Nothing prevents me from dropping hunting groups on top of a guide camp on any river, any sheep drainage, any GMU. A competitor hunt planner has no regulation preventing him from using another HP's areas in any given GMU. This causes unfair displacement and disruption of stable operations for businesses who have co-existed and co-operated successfully with all user groups in the area.

If your proposal is an amendment to an existing regulation, you must provide the regulation number to the proposed amendment. If your proposal is for new regulation you must provide the Alaska Statute number under 08.54 that supports your proposal. Failure to provide this information along with your printed name will result in your proposal not being submitted to the Board for consideration.

Proposed by: Larry Bartlett Date: 1/9/23
(Printed Name)

Mailing Address: [REDACTED]

Telephone Number (optional): [REDACTED]

Email Address (optional): [REDACTED]

**Mail To: Big Game Commercial Services Board
PO Box 110806
Juneau, AK 99811-0806**

Big Game Commercial Services Board /REGULATION PROPOSAL

Is this a proposal for a new regulation? NO

If “yes’, which Alaska Statute (AS) under 08.54 supports your new regulation? AS 8.54 NA

Is this proposal an amendment to an existing regulation? YES

If “yes,” what is the regulation number? 12AAC 75.240 Supervision (f)

Proposal:12 AAC 75.240. SUPERVISION.

(f) The contracting registered guide-outfitter or a noncontracting registered guide-outfitter or class-A assistant guide supervising an assistant guide shall be available in the same guide use area, or an adjacent guide use area with a common border, ***or within 200 miles***, to direct and monitor the big game hunting services provided to the client, except during times when

(1) an emergency situation exists that requires the guide's assistance; or

(2) the contracting registered guide-outfitter or noncontracting registered guide-outfitter or class-A assistant guide supervising the hunt is outside the guide use area or neighboring guide use area, ***or 200 miles*** while

(A) in transit with meat or trophies from that or a neighboring guide use area;

(B) in transit with food, supplies, or clients directly associated with conducting guided hunts in that or a neighboring guide use area; or

(C) conducting important duties that are essential for completion of current contracted hunts.

Who is likely to benefit: Distances within 2 adjacent guide use areas throughout the state, can vary from just a few miles to almost 400, or even more. Using GUAs by themselves, is a very inconsistent and discriminating method to define proximity for a supervising guide. Contracting Guides who run operations, mostly by air, that though they can reach their camp in an hour or two – much quicker than most, are currently subject to incur additional expense by having to hire additional staff and Class-As or non-contracting registered guides versus assistants, just because they happen to be outside of a GUA boundary. This will help level the playing field for them. ***Able and capable assistant guides will no longer be passed over as often, because their class of guide license isn't sufficient.***

Who is likely to suffer: I can't think of anyone that would be hurt by improving on a regulation that uses a very inconsistent standard and that is discriminating mostly to one user group of guides, but also to assistant guides.

What will happen if nothing is done: ***High quality assistant guides will continue to lose work opportunity, because it is not cost effective for the contracting guide to hire an assistant if he also has to hire a Class A to supervise him.*** A substantial number of top notch contracting registered guides, who though being able to reach camp in an hour or two, will continue to be required to incur additional cost by having to hire additional staff and class A or non-contracting guides instead of assistants, when other contracting guides much further away in either time and/or distance, don't have to - ***and only because of where a line on the map falls.*** The example below, is an attempt to further explain why using GUAs alone, is a very inconsistent and discriminatory method to define proximity for a supervising guide.

Registered guide A uses small, flat bottom jet boats and supervises a guide camp located in the same or neighboring GUA, which is 20 miles away as the crow flies but about 50 miles by river. It takes guide A about 3-4 hours to get there. When he operates in tide water, it might take much longer if the tides are not favorable.

Registered guide B uses horses and supervises a guide camp located in the same or neighboring GUA, which is 20 miles away as the crow flies, but two mountain ridges over. It takes him 6-8 hours to get there using horses because he has to follow the valley and avoid swamps and brush.

Registered guide C has an air service fly him in to one guide camp and supervises another guide camp that is in the same or neighboring GUA, that he also has flown in by the air service. It is only about 15 miles away, but 3 drainages over and almost impossible to reach by walking because of deep ravines, near vertical mountains and large rivers. If it could be reached by foot at all, it would likely take multiple days. Assuming the weather is flyable and the air charter is available exactly on time, getting picked up and then flown to the other camp, would still take several hours.

Registered Guide D has his own super cub and Cessna 185 and operates inside of neighboring GUA's 19-03 & 19-04. He supervises a guide camp 250 miles away which takes him about 3 hours to reach in his cub and about 2 hours in the 185.

Registered Guide E has his own super Cub, and supervises a guide camp that is less than 100 miles away and that he can fly to in about 1 hour, ***however, he is outside of the same or neighboring GUA.***

As per 12AAC 75.240 (f), Registered Guides A, B, C & D can use assistant guides because they operate within the same or neighboring GUA, but guide E is required to hire a Class A or non-contracting registered guide, because though he can reach his camp in an hour - much sooner than the other examples, he is outside of the same or neighboring GUA.

This is a very simple and straight forward stand-alone proposal, yet it would benefit many in the industry whose base of operations are relatively close to camp but don't ideally fall inside GUA boundaries. ***I respectfully request that the board will expediently move this amendment proposal forward.***

Proposed by: Wayne Kubat Date: February 8th, 2023

Mailing Address: [REDACTED]

Telephone Number: [REDACTED]

Email Address: [REDACTED]

Mail to: Big Game Commercial Services Board / PO Box 110806 / Juneau, AK 99811-0806

Email: Thomas Bay, Executive Administrator / Phone: (907) 465-2543 /

Email: BigGameCommercialServicesBoard@Alaska.Gov

Big Game Commercial Services Board / **REGULATION PROPOSAL**

Is this a proposal for a new regulation? NO

Is this proposal an amendment to an existing regulation? YES

The following amendments are supported by: 08.54.610 (e), 08.54.620 (b) (3) & 08.54.630 (b) (3).

If "yes", what is the regulation number? 12AAC 75.240 Supervision

Proposal:12 AAC 75.240. SUPERVISION.

(f) **To satisfy the "physically present" requirement in 08.54.630 (b) (3), for supervision of an assistant guide when the contracting registered guide-outfitter is not in the field and participating in the contracted hunt,** [THE CONTRACTING REGISTERED-GUIDE OUTFITTER OR] a noncontracting registered guide-outfitter or class-A assistant guide **employed by the contracting guide and** supervising an assistant guide shall be available in the same guide use area, or an adjacent guide use area with a common border, **or within 200 miles,** to direct and monitor the big game hunting services provided to the client, except during times when

- (1) an emergency situation exists that requires the guide's assistance; or
- (2) the contracting registered guide-outfitter or noncontracting registered guide-outfitter or class-A assistant guide supervising the hunt is outside the guide use area or neighboring guide use area, **or 200 miles** while

(A) in transit with, **or while processing** meat or trophies from the **current season of hunts** from that or a neighboring guide use area;

(B) in transit with, **or while acquiring** food, supplies, or clients directly associated with [CONDUCTING GUIDED] **the current season of** hunts in that or a neighboring guide use area; or

(C) conducting important duties that are essential for **the safe** completion of **the current season of** contracted hunts.

(D) Conducting maintenance and repairs on vehicles necessary to complete the current season of hunts.

(E) Conducting a hunt that primarily takes place in a location defined as outside of the "field" as defined in 08.54.790(7)

(F) Conducting a hunt in which clients are primarily housed outside of the "field" as defined in 08.54.790(7)

(G) For the purposes of this section; "Current Season" means a period of consecutive or nearly consecutive hunts

(g) Repealed 7/30/2006.

(h) In this section, "emergency situation" means a situation in which a person is in a remote area and

- (1) is involuntarily experiencing an absence of food, water, shelter, or medical care required to sustain life or health;
- (2) is lost;
- (3) is unable to perform the functions necessary for survival, leading to a high risk of death or serious and permanent health problems without the assistance of the guide; or
- (4) the guide's presence is necessary for a family medical condition.

(i) For purposes of the requirement in AS 08.54.610(e) [FOR SUPERVISION OF A CONTRACTED HUNT] **that a contracting guide must be "primarily in the field" and "supervising and participating".... and shall also "conduct" the contracted hunt,** and in addition to the

requirements of this section, the contracting registered guide-outfitter may plan, direct and monitor a contracted hunt,

- (1) [While [IN THE FIELD AND] present in
 - (A) the same game management unit in which the contracted hunt is taking place;
 - (B) a game management unit adjacent to and sharing a common border with the unit in which the contracted hunt is taking place; or
 - (C) a location that is no further than 50 miles from the nearest boundary of an area or unit described in (A) or (B) of this paragraph; and

(2) if performing those activities while [IN THE FIELD AND] present in a location listed in (1) of this subsection, is practicable; for purposes of this paragraph, planning, directing, and monitoring the contracted hunt is not practicable if the contracting registered guide-outfitter cannot communicate in person, communicate personally by telephone, or communicate personally by radio with the assistant guide, class-A assistant guide, or registered guide-outfitter involved in the contracted hunt.

(3) Primarily means the majority of days in the current season of hunts

(A) Any portion of a day 4 hours or longer, counts as a day.

(4) Conduct means plan, direct and monitor

(5) "Contracted hunt" in this section includes any hunt guided by an Assistant, Class A or Registered guide-outfitter.

(j) To satisfy the requirement in 08.54.610 (e), that the contracting registered guide-outfitter shall also conduct the hunt, unless the hunt, under regulations adopted by the board, is being conducted by a class-A assistant guide or a registered guide-outfitter employed by the contracting registered guide-outfitter.

(1) In circumstances and situations where the contracting guide does not meet the requirements in 12AAC 75.240 (i), the contracting guide can employ a class A or non-contracting registered guide as per the provisions in 12AAC 75.240 (f) to take charge of a camp, provide guide services and/or supervise assistants, but still must supervise the guiding activities.

Who is likely to benefit: Most guides who strive to run a responsible business with good client care, will benefit by having better clarification of supervision regulations. Much of what a contracting guide does can't be done in the field, and responsible guides that are taking care of such business that is necessary and important to provide the best hunt quality and client care, won't have to worry about getting undeservedly investigated and/or prosecuted. The industry will be seen in a positive light by requiring reasonable proximity to clients and hunts by contracting guides. Physically present, in the field, primarily and conduct are terms that vary in meaning and often cause confusion in our statutes and regulations. Also, 08.54.610 (e), 08.54.620 (b) (3), and 12AAC 75.240 (f) and (i), seem to contradict and/or confuse each other, or at the very least, are very hard for most guides to understand. There are some in law enforcement that feel that guides can't run hunts from outside the same or neighboring GMU + 50 miles even if they hire a class A or registered guide.

Who is likely to suffer: Those who feel guides should be unrealistically restricted. Also, guide-outfitters who like to take advantage and push the limits on gray areas. Also, those who feel they should be able to supervise assistants from virtually anywhere in Alaska, and think that requiring a contracting guide to be in the same or neighboring GMU + 50 miles in order to meet “in the field and/or supervision” requirements for a contracted hunt, is much too restrictive. *On the plus side though, these amendments clarify that they can run hunts while not in the field, if they use a Class A or non-contracting registered guide. That’s a lot more than what we have now.*

What will happen if nothing is done: Much of what an outfitter does, can’t be done in the field. Guide-Outfitters who mean and strive to do right by the industry, the law, and their clients, will continue to operate in confusion and fear, and perhaps jump through a lot of unneeded, costly and inefficient hoops, and avoid taking hunts in “shoulder seasons”, to avoid being cited for operating practices that are in the best interest of their clients and the industry.

What this proposal intends to accomplish:

1. The intent of removing “contracting guide” from 75.240 (f), is to specifically target (f) to apply to assistant guide supervision when the contracting guide is not in the field. Also, to define the “physically present” requirement in 08.54.630 (b) (3), for supervision of an assistant guide when the contracting registered guide-outfitter is not in the field and participating in the contracted hunt. If the contracting guide is in the field to start with, we wouldn’t need another supervising guide.
2. Distances within 2 adjacent guide use areas throughout the state, can vary from just a few miles to almost 400, or even more. Using GUAs by themselves, is a very inconsistent and discriminating method to define proximity for a supervising guide. Adding “or within 200 miles” attempts to offer an alternative distance that is reasonable and somewhat levels the playing field. I expound a lot more on this in my proposal that only addresses 75.240 (f).
3. 08.54.610 (e), in my opinion is a very confusing, contradictory and difficult statute to understand. 75.240 (i) was added in about 2014, to help clarify it, and addressed supervision somewhat, but didn’t explain additional confusion that it caused. The industry still lacks understanding and clarity of the meaning of “primarily”, “conduct”, and “in the field”. The proposed amendments to (i), hope to get us the rest of the way across the finish line.
4. Also unclear in 08.54.610 (e), is under what circumstances if any, a contracting guide can use a class A or non- contracting registered guide to run a hunt when he is not in the field. The addition of (j) to 75.240, attempts to answer this.
5. This proposal also intends to give more latitude and responsibility to contracting guides when supervising assistants, than that of a Class A or non-contracting registered guide that he employs. After all, he is the boss and where “the buck and responsibility stops”. The sum total of this proposal allows the contracting guide to supervise assistants within the same or neighboring GMU + 50, but Supervising guides are required to be in the same or neighboring GUA, with some exceptions. It really doesn’t change much since the exceptions in (f), mostly already allows that, and even more, because there is no limit to proximity in the exceptions, but it does make it a lot simpler and easier to understand.
6. The purpose for using 75.240 (f) to only apply to supervising guides, and (i) to apply to only contracting guides, was to try to avoid confusion.

Proposed by: Wayne Kubat

Date: February 9th, 2023

Mailing Address: [REDACTED] Telephone Number: [REDACTED]

Email Address [REDACTED]

Mail to: Big Game Commercial Services Board / PO Box 110806 / Juneau, AK 99811-0806

Email: Thomas Bay, Executive Administrator / Phone: (907) 465-2543 /

Email: BigGameCommercialServicesBoard@Alaska.Gov

Wayne - "In the field and" can stay in (i) (1) & (2) as long as (i) (3) remains intact.

We don't need exemptions in (i) like we do in (f) because primarily allows us to be out to the field for whatever we want as long as we are mostly in the field.

**State of Alaska
Department of Commerce, Community &
Economic Development Division of Corporations,
Business, and Professional Licensing Big Game
Commercial Services Board**



Public Comment

The board chair shall open public comment. The time allotted for comment will be divided between all individuals signed in to give comment. The group will be told how much time each person will have to speak; board staff will keep track of the time and notify the individual when they need to wrap up their comment(s).

This is not the time for the board to respond to the comments. The board can choose to respond to any comments at the end of the comment period; they can choose to send a letter with their responses to the individual; or they can choose to not respond.

Please be mindful of the time limit so that all who choose to speak will be given the same opportunities.

Roster

Big Game Commercial Services Board

NAME	APPOINTED	REAPPOINTED	EXPIRES
Bloomquist, Aaron (Copper Center) Licensed Registered Guides-Outfitters	03/01/2021		03/01/2025
Boniek, Martin (Glennallen) Licensed Transporters	03/01/2021		03/01/2025
Buist, Peter (Fairbanks) Public	05/21/2019	03/01/2021	03/01/2025
Bunch, Jason (Kodiak) Licensed Registered Guides-Outfitters	03/02/2018	03/01/2019	03/01/2023
Burnett, Jerry (Juneau) Designated Game Board Member/Restricted	01/21/2021		03/01/2024
Flores, Michael (Soldotna) Licensed Transporters	05/11/2020		03/01/2023
Kunder, Larry (Anchorage) Public	05/25/2022		03/01/2026
Nordlum, Clay (Kotzebue) Private Landholders/Restricted	06/25/2021	03/01/2022	03/01/2026
Vacant () Private Landholders/Restricted			03/01/2024

B. Marine Transporter - Vessel and Captain Requirements

C. Guides and Transporters - Boat and Plane Identification

D. Helicopter Use

E. GUA Registration and RGO Contract Requirements

F. Supervision and Participation

G. Guides Providing Transportation Services

8. 3:30pm Investigations Unit/Tabled Applications

A. Probation Monitor Report

B. Investigative Report

C. Executive Session

i. License #197273 - Case No. 2022-001194

9. 4:30pm Recess

DRAFT

i. Annual Report

ii. Sunset Legislative Audit

31. 3:00pm Administrative Business

32. 3:30pm Task List

33. 4:00pm Adjourn

DRAFT

**State of Alaska
Department of Commerce, Community &
Economic Development Division of Corporations,
Business, and Professional Licensing Big Game
Commercial Services Board**



Public Comment

The board chair shall open public comment. The time allotted for comment will be divided between all individuals signed in to give comment. The group will be told how much time each person will have to speak; board staff will keep track of the time and notify the individual when they need to wrap up their comment(s).

This is not the time for the board to respond to the comments. The board can choose to respond to any comments at the end of the comment period; they can choose to send a letter with their responses to the individual; or they can choose to not respond.

Please be mindful of the time limit so that all who choose to speak will be given the same opportunities.

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Big Game Commercial Services Board, Guide-Outfitters	FY 16	FY 17	Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium	FY 23		
										FY 22	1st & 2nd QTR	
Revenue												
Revenue from License Fees	\$ 1,057,847	\$ 485,669	\$ 1,543,516	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,193,160	\$ 134,855	
General Fund Received								\$ -	\$ -	\$ 27,909	\$ -	
Allowable Third Party Reimbursements	-	225	225	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL REVENUE	\$ 1,057,847	\$ 485,894	\$ 1,543,741	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450	\$ 1,221,069	\$ 134,855	
Expenditures												
Non Investigation Expenditures												
1000 - Personal Services	118,573	78,939	197,512	103,082	85,533	188,615	116,391	128,509	244,900	191,468	48,710	
2000 - Travel	17,545	14,814	32,359	10,047	10,107	20,154	9,328	3,751	13,079	12,731	-	
3000 - Services	49,702	24,199	73,901	35,454	28,371	63,825	50,200	23,671	73,871	20,872	1,676	
4000 - Commodities	1,518	212	1,730	3,092	2,560	5,652	41	165	206	2,283	-	
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-	
Total Non-Investigation Expenditures	187,338	118,164	305,502	151,675	126,571	278,246	175,960	156,096	332,056	227,354	50,386	
Investigation Expenditures												
1000-Personal Services	124,462	127,020	251,482	118,456	146,016	264,472	150,184	148,053	298,237	165,989	72,019	
2000 - Travel	-	-	-	-	-	-	1,099	-	1,099	-	-	
3023 - Expert Witness	-	-	-	-	-	-	-	2,981	2,981	-	-	
3088 - Inter-Agency Legal	85,834	23,942	109,776	101,433	167,574	269,007	46,637	59,243	105,880	8,084	-	
3094 - Inter-Agency Hearing/Mediation	21,387	5,318	26,705	7,138	69,542	76,680	20,485	38,084	58,569	4,140	-	
3000 - Services other	-	-	-	-	1,524	1,524	1,730	612	2,342	3,969	178	
4000 - Commodities	-	-	-	-	270	270	49	300	349	54	-	
Total Investigation Expenditures	231,683	156,280	387,963	227,027	384,926	611,953	220,184	249,273	469,457	182,236	72,197	
Total Direct Expenditures	419,021	274,444	693,465	378,702	511,497	890,199	396,144	405,369	801,513	409,590	122,583	
Indirect Expenditures												
Internal Administrative Costs	59,545	51,116	110,661	69,514	65,321	134,835	70,156	59,162	129,318	66,247	33,124	
Departmental Costs	43,045	46,041	89,086	48,099	47,629	95,728	39,754	37,509	77,263	48,863	24,432	
Statewide Costs	15,685	23,522	39,207	24,759	24,123	48,882	35,119	37,959	73,078	44,929	22,465	
Total Indirect Expenditures	118,275	120,679	238,954	142,372	137,073	279,445	145,029	134,630	279,659	160,039	80,021	
TOTAL EXPENDITURES	\$ 537,296	\$ 395,123	\$ 932,419	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 541,173	\$ 539,999	\$ 1,081,172	\$ 569,629	\$ 202,604	
Cumulative Surplus (Deficit)												
Beginning Cumulative Surplus (Deficit)	\$ (1,120,051)	\$ (599,500)		\$ (508,729)	\$ 92,957		\$ (150,523)	\$ 370,234		\$ 288,755	\$ 940,195	
Annual Increase/(Decrease)	520,551	90,771		601,686	(243,480)		520,757	(81,479)		651,440	(67,749)	
Ending Cumulative Surplus (Deficit)	\$ (599,500)	\$ (508,729)		\$ 92,957	(150,523)		\$ 370,234	\$ 288,755		\$ 940,195	\$ 872,446	
Statistical Information												
Number of Licenses for Indirect calculation	1,770	1,574		1,730	1,467		1,624	1,446		1,635		
Additional information:	<ul style="list-style-type: none"> • Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses * • Most recent fee change: New fee added FY19 • Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program c 											

Appropriation Name (Ex)	(All)
Sub Unit	(All)
PL Task Code	GUI1

Sum of Budgetary Expenditures Object Name (Ex)	Object Type Name (Ex)			Grand Total
	1000 - Personal Services	3000 - Services	4000 - Commodities	
1011 - Regular Compensation	63,578.45			63,578.45
1014 - Overtime	73.33			73.33
1023 - Leave Taken	12,309.54			12,309.54
1028 - Alaska Supplemental Benefit	4,660.88			4,660.88
1029 - Public Employee's Retirement System Defined Benefits	10,250.68			10,250.68
1030 - Public Employee's Retirement System Defined Contribution	1,834.58			1,834.58
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,154.74			1,154.74
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	380.57			380.57
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	5,209.74			5,209.74
1040 - Group Health Insurance	16,531.60			16,531.60
1042 - Worker's Compensation Insurance	608.22			608.22
1047 - Leave Cash In Employer Charge	2,398.79			2,398.79
1048 - Terminal Leave Employer Charge	568.10			568.10
1053 - Medicare Tax	1,082.88			1,082.88
1077 - ASEA Legal Trust	65.60			65.60
1079 - ASEA Injury Leave Usage	15.50			15.50
1080 - SU Legal Trst	5.52			5.52
3035 - Long Distance			15.60	15.60
3036 - Local/Equipment Charges			21.05	21.05
3044 - Courier			52.52	52.52
3045 - Postage			144.49	144.49
3046 - Advertising			166.69	166.69
3085 - Inter-Agency Mail			1,283.53	1,283.53
3088 - Inter-Agency Legal			170.53	170.53
4002 - Business Supplies			-	-
Grand Total	120,728.72	1,854.41	-	122,583.13

Big Game Commercial Services Board, Guide-Outfitters		FY 16	FY 17
Revenue			
Revenue from License Fees		\$ 1,057,847	\$ 485,669
General Fund Received			
Allowable Third Party Reimbursements		-	225
TOTAL REVENUE		\$ 1,057,847	\$ 485,894
Expenditures			
Non Investigation Expenditures			
1000 - Personal Services		118,573	78,939
2000 - Travel		17,545	14,814
3000 - Services		49,702	24,199
4000 - Commodities		1,518	212
5000 - Capital Outlay		-	-
Total Non-Investigation Expenditures		187,338	118,164
Investigation Expenditures			
1000-Personal Services		124,462	127,020
2000 - Travel		-	-
3023 - Expert Witness		-	-
3088 - Inter-Agency Legal		85,834	23,942
3094 - Inter-Agency Hearing/Mediation		21,387	5,318
3000 - Services other		-	-
4000 - Commodities		-	-
Total Investigation Expenditures		231,683	156,280
Total Direct Expenditures		419,021	274,444
Indirect Expenditures			
Internal Administrative Costs		59,545	51,116
Departmental Costs		43,045	46,041
Statewide Costs		15,685	23,522
Total Indirect Expenditures		118,275	120,679
TOTAL EXPENDITURES		\$ 537,296	\$ 395,123
Cumulative Surplus (Deficit)			
Beginning Cumulative Surplus (Deficit)		\$ (1,120,051)	\$ (599,500)
Annual Increase/(Decrease)		520,551	90,771
Ending Cumulative Surplus (Deficit)		\$ (599,500)	\$ (508,729)
Statistical Information			
Number of Licenses for Indirect calculation		1,770	1,574

Additional information:

- Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures
- Most recent fee change: New fee added FY19

• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load,

Department of Commerce Community, and Economic Development
 Corporations, Business and Professional Licensing

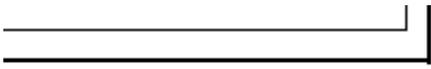
Summary of All Professional Licensing
 Schedule of Revenues and Expenditures

Biennium	FY 18	FY 19	Biennium	FY 20	FY 21	Biennium
\$ 1,543,516	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450
225	-	-	-	\$ -	\$ -	-
\$ 1,543,741	\$ 1,122,760	\$ 405,090	\$ 1,527,850	\$ 1,061,930	\$ 458,520	\$ 1,520,450
197,512	103,082	85,533	188,615	116,391	128,509	244,900
32,359	10,047	10,107	20,154	9,328	3,751	13,079
73,901	35,454	28,371	63,825	50,200	23,671	73,871
1,730	3,092	2,560	5,652	41	165	206
-	-	-	-	-	-	-
305,502	151,675	126,571	278,246	175,960	156,096	332,056
251,482	118,456	146,016	264,472	150,184	148,053	298,237
-	-	-	-	1,099	-	1,099
109,776	101,433	167,574	269,007	-	2,981	2,981
26,705	7,138	69,542	76,680	46,637	59,243	105,880
-	-	1,524	1,524	20,485	38,084	58,569
-	-	270	270	1,730	612	2,342
387,963	227,027	384,926	611,953	49	300	349
693,465	378,702	511,497	890,199	220,184	249,273	469,457
110,661	69,514	65,321	134,835	396,144	405,369	801,513
89,086	48,099	47,629	95,728	70,156	59,162	129,318
39,207	24,759	24,123	48,882	39,754	37,509	77,263
238,954	142,372	137,073	279,445	35,119	37,959	73,078
\$ 932,419	\$ 521,074	\$ 648,570	\$ 1,169,644	\$ 145,029	\$ 134,630	\$ 279,659
	\$ (508,729)	\$ 92,957		\$ (150,523)	\$ 370,234	
	601,686	(243,480)		520,757	(81,479)	
	\$ 92,957	(150,523)		\$ 370,234	\$ 288,755	
	1,730	1,467		1,624	1,446	

Expenditures; no fee increases needed if cumulative is over the current year expenses *

	FY 22	FY 23 1st & 2nd QTR
\$	1,193,160	\$ 134,855
\$	27,909	\$ -
\$	-	\$ -
\$	1,221,069	\$ 134,855
	191,468	48,710
	12,731	-
	20,872	1,676
	2,283	-
	-	-
	227,354	50,386
	165,989	72,019
	-	-
	-	-
	8,084	-
	4,140	-
	3,969	178
	54	-
	182,236	72,197
	409,590	122,583
	66,247	33,124
	48,863	24,432
	44,929	22,465
	160,039	80,021
\$	569,629	\$ 202,604
\$	288,755	\$ 940,195
	651,440	(67,749)
\$	940,195	\$ 872,446
	1,635	

1109628



Big Game Commercial Services

Analysis last updated: 3.21.23
 Renewal Deadline: 12.31.23
 Presented to board: 3.30.23

Fee Type	Current fee schedule				Proposed by board				Proposed by division				Adjustments			In System 01.01.2021 to 12.31.2022	Previous Fee Analysis	
	Current Fee	Projected Units	Projected Revenue		Fee Adjustment	Fee with Recommended Adjustment	Projected Revenue after Adjustment	% Change	Fee Adjustment	Fee with Recommended Adjustment	Projected Revenue after Adjustment	% Change	Fee Adjustment for Estimated Prorated Renewals	Projected Units	Projected Revenue Loss			
Application Fee	200	244	\$ 48,800			\$ 48,800	0%		\$ 200	\$ 48,800	0%					Application Fee	244	238
Guide-Outfitter Exam or Retake	125	20	2,500			125	0%		125	2,500	0%					Guide-Outfitter Exam or Retake	20	25
Game Management Exam	400	20	8,000			8,000	0%	(275)	125	2,500	-69%					Game Management Exam	20	30
Annual HR/TAR Reporting Fee	300	758	227,400			300	0%	(300)	-	-	-100%					Annual HR/TAR Reporting Fee	758	758
Guide Use Area Registration	100	500	50,000			100	0%		100	50,000	0%					Guide Use Area Registration	500	580
Mun HR/Trans Activity Report	500	0	-			500	-		500	-	0%					Mun HR/Trans Activity Report	0	0
New Master Guide-Outfitter (Resident)	850	0	-			850	-		(100)	750	-12%		(375)			New Master Guide-Outfitter (Resident)	0	1
New Master Guide-Outfitter (Non-Resident)	1,700	0	-			1,700	-		(100)	1,500	-12%		(750)			New Master Guide-Outfitter (Non-Resident)	0	1
Renew Master Guide-Outfitter (Resident)	850	90	76,500			850	0%	(100)	750	67,500	-12%					Renew Master Guide-Outfitter (Resident)	92	85
Renew Master Guide-Outfitter (Non-Resident)	1,700	14	23,800			1,700	0%	(100)	1,500	21,000	-12%					Renew Master Guide-Outfitter (Non-Resident)	14	14
New Registered Guide-Outfitter (Resident)	850	15	12,750			850	0%	(100)	750	11,250	-12%	(375)		(375)		New Registered Guide-Outfitter (Resident)	15	19
New Registered Guide-Outfitter (Non-Resident)	1,700	4	6,800			1,700	0%	(100)	1,500	6,000	-12%	(750)				New Registered Guide-Outfitter (Non-Resident)	4	4
Renew Registered Guide-Outfitter (Resident)	850	270	229,500			850	0%	(100)	750	202,500	-12%					Renew Registered Guide-Outfitter (Resident)	253	208
Renew Registered Guide-Outfitter (Non-Resident)	1,700	46	78,200			1,700	0%	(100)	1,500	69,000	-12%					Renew Registered Guide-Outfitter (Non-Resident)	45	42
New Class-A Asst Guide (Resident)	410	12	4,920			410	0%	(100)	310	3,720	-24%	(155)				New Class-A Asst Guide (Resident)	12	9
New Class-A Asst Guide (Non-Resident)	820	1	820			820	0%	(100)	620	620	-24%	(310)				New Class-A Asst Guide (Non-Resident)	1	1
Renew Class-A Asst Guide (Resident)	410	87	35,670			410	0%	(100)	310	26,970	-24%					Renew Class-A Asst Guide (Resident)	75	55
Renew Class-A Asst Guide (Non-Resident)	820	9	7,380			820	0%	(100)	620	5,580	-24%					Renew Class-A Asst Guide (Non-Resident)	9	10
New Assistant Guide (Resident)	410	94	38,540			410	0%	(100)	310	29,140	-24%	(155)		(310)		New Assistant Guide (Resident)	94	96
New Assistant Guide (Non-Resident)	820	94	77,080			820	0%	(100)	620	58,280	-24%	(310)		(620)		New Assistant Guide (Non-Resident)	94	82
Renew Assistant Guide (Resident)	410	464	190,240			410	0%	(100)	310	143,840	-24%					Renew Assistant Guide (Resident)	355	283
Renew Assistant Guide (Non-Resident)	820	330	270,600			820	0%	(100)	620	204,600	-24%					Renew Assistant Guide (Non-Resident)	232	185
New Transporter (Resident)	850	24	20,400			850	0%	(100)	750	18,000	-12%	(375)		(1,125)		New Transporter (Resident)	24	23
New Transporter (Non-Resident)	1,700	0	-			1,700	0%	(100)	1,500	-	-12%	(750)				New Transporter (Non-Resident)	0	2
Renew Transporter (Resident)	850	125	106,250			850	0%	(100)	750	93,750	-12%					Renew Transporter (Resident)	91	68
Renew Transporter (Non-Resident)	1,700	5	8,500			1,700	0%	(100)	1,500	7,500	-12%					Renew Transporter (Non-Resident)	5	1
Retired Master/Reg Guides	300	0	-			300	-		300	-	0%					Retired Master/Reg Guides	0	0
Retired Class-A Asst Guides	175	0	-			175	-		-	-	0%					Retired Class-A Asst Guides	0	0
Centralized Fees	33,592	1	33,592			33,592	0%		33,592	33,592	0%							
			\$ 1,558,242			\$ 1,558,242				\$ 1,106,642					\$ (2,430)			

Beginning Cumulative Surplus must be from FY2021

Initial: PY new applications
 New: PY new applications
 Renewal: PY renewed + PY new
 Temporary: PY temporary
 Courtesy: PY courtesy
 Centralized: PY revenue x .01
 Inactive: Equals PY inactive

Revenues and Expenditures	CALCULATIONS BASED ON CURRENT FEES				
	FY2019/2020 Actuals	FY2021/FY2022 Actuals	Projected FY2023/2024	Projected FY2025/2026	Projected FY2027/2028
Revenue	1,467,020	1,679,589	1,578,242	1,558,242	1,558,242
Expenses	(1,189,743)	(1,109,628)			
Adjustments:					
Expenses adjusted for 2% biennial increase			(1,213,538)	(1,237,809)	(1,262,565)
Fee adjustment for pro-rated renewal			(2,430)	(2,430)	(2,430)
Projected Net		569,961	362,274	318,003	293,247
*Beginning Cumulative Surplus (Deficit)		370,234	940,195	1,302,469	1,620,472
Ending Cumulative Surplus (Deficit)		940,195	1,302,469	1,620,472	1,913,719

CALCULATIONS BASED ON BOARD'S PROPOSAL				
FY2021/FY2022 Actuals	Projected FY2023/2024	Projected FY2025/2026	Projected FY2027/2028	Projected FY2027/2028
1,679,589	1,558,242	1,558,242	1,558,242	1,558,242
(1,109,628)				
	(1,213,538)	(1,237,809)	(1,262,565)	(1,262,565)
	(2,430)	(2,430)	(2,430)	(2,430)
569,961	342,274	318,003	293,247	293,247
370,234	940,195	1,282,469	1,600,472	1,600,472
940,195	1,282,469	1,600,472	1,893,719	1,893,719

CALCULATIONS BASED ON DIVISION'S PROPOSAL				
FY2021/FY2022 Actuals	Projected FY2023/2024	Projected FY2025/2026	Projected FY2027/2028	Projected FY2027/2028
1,679,589	1,106,642	1,106,642	1,106,642	1,106,642
(1,109,628)				
	(1,189,743)	(1,213,538)	(1,237,809)	(1,237,809)
	(2,430)	(2,430)	(2,430)	(2,430)
569,961	(85,531)	(109,326)	(133,597)	(133,597)
370,234	940,195	854,664	745,338	745,338
940,195	854,664	745,338	611,741	611,741

33rd Legislature (2023-2024)
 Alaska Admin Code
 12 AAC 02.230

SEARCH Display

12 AAC 02.230 - Big Game Commercial Services Board.

- (a) The following fees are established for registered and master guide-outfitters:
- (1) nonrefundable application fee for initial license, \$200;
 - (2) initial registered guide-outfitter qualification examination or retake examination fee, \$125;
 - (3) game management unit examination fee for taking initial examination, retaking examination, or adding game management units, \$400 per game management unit;
 - (4) registered or master guide-outfitter license fee, for all or part of the biennial license period, \$850;
 - (5) biennial registered or master guide-outfitter license renewal fee, \$850;
 - (6) examination preparation packet for registered guide-outfitter, \$100;
 - (7) retired status license fee, \$300;
 - (8) hunt record annual filing fee, \$300;
 - (9) guide use area registration fee, \$100.
- (b) The following fees are established for Class-A assistant and assistant guides:
- (1) nonrefundable application fee for initial license, \$200;
 - (2) Class-A assistant and assistant guide license fee for all or part of the initial biennial license period, \$410;
 - (3) Class-A assistant and assistant guide biennial license renewal fee, \$410;
 - (4) retired status license fee, \$175.
- (c) The following fees are established for transporter licenses:
- (1) nonrefundable application fee, \$200;
 - (2) transporter license fee, for all or part of the biennial license period, \$850;
 - (3) biennial transporter license renewal fee, \$850;
 - (4) transporter activity report annual filing fee, \$300.
- (d) Under AS 08.54.720(e), the license fees for nonresidents are double the license fees established in (a) - (c) of this section.
- (e) The following fee is established for each municipality request for hunt record and transporter activity report information under AS 08.54.760(b)(2), \$500.

Business and Professional Licensing
Professional Licensing Fees Changes FY06 - FY22
(as of May 17, 2022)

GUI	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23
		<u>Eff. 11/18/06</u>	<u>Eff. 12/21/07</u>		<u>Eff. 11/26/09</u>				<u>Eff. 11/30/13</u>		<u>Eff. 11/20/15</u>	<u>Eff. 11/26/16</u>		<u>Eff. 11/30/18</u>				
Application	\$50	\$50	\$50	\$50	\$100	\$100	\$100	\$100	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200	\$200
Examination/Retake	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$50	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125
Unit Examination	\$50	\$50	\$50	\$50	\$200	\$200	\$200	\$200	\$390	\$390	\$400	\$400	\$400	\$400	\$400	\$400	\$400	\$400
Master Guide	\$185	\$185	\$450	\$450	\$450	\$450	\$450	\$450	\$650	\$650	\$850	\$850	\$850	\$850	\$850	\$850	\$850	\$850
Registered Guide	\$185	\$185	\$450	\$450	\$450	\$450	\$450	\$450	\$650	\$650	\$850	\$850	\$850	\$850	\$850	\$850	\$850	\$850
Class-A Assistant Guide	\$75	\$75	\$250	\$250	\$250	\$250	\$250	\$250	\$360	\$360	\$410	\$410	\$410	\$410	\$410	\$410	\$410	\$410
Assistant Guide	\$75	\$75	\$250	\$250	\$250	\$250	\$250	\$250	\$360	\$360	\$410	\$410	\$410	\$410	\$410	\$410	\$410	\$410
Transporter	\$185	\$185	\$450	\$450	\$450	\$450	\$450	\$450	\$650	\$650	\$850	\$850	\$850	\$850	\$850	\$850	\$850	\$850
Examination Packet	n/a	\$25	\$25	\$25	\$25	\$25	\$25	\$25	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
Retired Master/Reg Guides	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300	\$300
Retired Class-A Assist Guide	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175
Hunt Record Annual Filing	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$50	\$300	\$300	\$300	\$300	\$300	\$300	\$300
Guide Use Area Registration	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$100	\$100	\$100	\$100	\$100	\$100	\$100	\$100
Trans Activity Report Annual Filing	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$50	\$300	\$300	\$300	\$300	\$300	\$300	\$300
Municipality request for hunt record/transporter activity	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$500	\$500	\$500	\$500	\$500

	A	B	C	D	E	F
1	Row Labels	Count of License #		Renewal Active as of 3.24.		
2	Assistant Guide					
3	Non Resident	330				
4	Resident	464				
5	Assistant Guide Total	794				
6	Class-A Assistant Guide					
7	Non Resident	9				
8	Resident	87				
9	Class-A Assistant Guide Total	96				
10	Master Guide-Outfitter					
11	Non Resident	14				
12	Resident	90				
13	Master Guide-Outfitter Total	104				
14	Registered Guide-Outfitter					
15	Non Resident	46				
16	Resident	270				
17	Registered Guide-Outfitter Total	316				
18	Transporter					
19	Non Resident	5				
20	Resident	125				
21	Transporter Total	130				
22						

Row Labels	Count of License #
Assistant Guide	
Non Resident	94
Resident	95
Assistant Guide Total	189
Class-A Assistant Guide	
Non Resident	1
Resident	12
Class-A Assistant Guide Total	13
Registered Guide-Outfitter	
Non Resident	4
Resident	15
Registered Guide-Outfitter Total	19
Transporter	
Resident	24
Transporter Total	24
Grand Total	245

As of 1.1.21-12.3

Row Labels

Esthetician
 Esthetician Temporary Permit
 Hair Braiding
 Hairdresser
 Hairdresser Temporary Permit
 Instructor
 Manicurist
 Manicurist with an Advanced Endorsement
 Non-Chemical Barber
 Permanent Cosmetic Coloring
 School Owner
 Shop Owner
 Shop Temporary License Per 12 AAC 09.112
 Student
 Student Temporary License
 Tattooing
 Tattooing And Permanent Cosmetic Coloring
 Tattooing Courtesy License

Barbers and Ha**Behavior Analysts**

Assistant Behavior Analyst
 Behavior Analyst

Behavior**Big Game Guides and Transporters**

Assistant Guide
 Class-A Assistant Guide
 Master Guide-Outfitter
 Registered Guide-Outfitter
 Transporter

Big Game Guides and Tra

	FY19 Total License Count	FY20 Total License Count	FY21 Total License Count	FY22 Total License Count	FY22 New Issu
	775	850	826	942	105
	2		1	1	1
	2	10	15	29	15
	2607	2706	2441	2536	73
	2	5	4	4	2
	212	231	222	250	25
	832	935	841	952	95
	116	128	108	116	6
		8	16	22	6
	4	78	90	102	9
	17	18	17	21	4
	869	943	830	930	100
	5	3	2	4	4
	947	942	1034	1019	356
	79	69	74	72	46
	61	164	178	213	20
	0	44	11	1	0
				35	35
irdressers Total	6779	7403	6953	7504	913
	4	8	10	9	1
	58	66	77	82	17
or Analysts Total	62	74	87	91	18
	764	865	775	914	104
	100	114	91	105	8
	135	134	122	124	0
	354	382	339	355	9
	114	129	119	137	17
ansporters Total	1467	1624	1446	1635	138



Department of Commerce, Community
and Economic Development

Division of Corporations, Business
and Professional Licensing

Big Game Commercial Services Board
Annual Report
Fiscal Year 2022



Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
Email: License@Alaska.Gov

**Big Game Commercial Services Board
FY 2022 Annual Report**

Table of Contents

Identification of the Board	Page 1
Identification of the Staff	Page 2
Narrative Statement	Page 3
Budget Recommendations	Page 4
Proposed Legislative Recommendations	Page 8
Regulatory Recommendations	Page 9
Goals and Objectives	Page 10
Sunset Audit Recommendations	Page 12

**Big Game Commercial Services Board
FY 2022 Annual Report**

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Pete Buist Public Member	Fairbanks	Mar 1, 2021	Mar 1, 2025
Martin Boniek Licensed Transporter	Glennallen	Mar 1, 2021	Mar 1, 2025
Micheal Flores Licensed Transporter	Soldotna	May 11, 2020	Mar 1, 2023
Clay Nordlum Private Landowner	Kotzebue	Mar 1, 2022	Mar 1, 2026
Jerry Burnett Designated Board of Game	Juneau	Jan 1, 2021	Mar 1, 2024
Aaron Bloomquist Licensed Registered Guide-Outfitter	Copper Center	Mar 1, 2021	Mar 1, 2023
Jason Bunch, Chair Licensed Registered Guide-Outfitter	Kodiak	Mar 1, 2019	Mar 1, 2023

**Big Game Commercial Services Board
FY 2022 Annual Report**

Identification of Staff

Thomas Bay – Licensing Examiner

Department of Commerce, Community & Economic Development Division of
Corporations, Business and Professional Licensing

P.O. Box 110806

Juneau, Alaska 99811-0806

(907) 465-2550

Renee Hoffard - Executive Administrator

Department of Commerce, Community & Economic Development Division of
Corporations, Business and Professional Licensing

P.O. Box 110806

Juneau, Alaska 99811-0806

(907) 465-2550

Lee Strout - Investigator

Department of Commerce, Community & Economic Development Division of
Corporations, Business and Professional Licensing

550 West 7th Avenue, Suite 1500

Anchorage, Alaska 99501-3567

(907) 269-8124

Jun Maiquis - Regulations Specialist II

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing

P.O. Box 110806

Juneau, Alaska 99811-0806

(907) 465-2550

**Big Game Commercial Services Board
FY 2022 Annual Report**

Narrative Statement

The Big Game Commercial Services Board (Board) was created by the Legislature “For the purpose of licensing and regulating the activities of providers of commercial services to big game hunters in the interest of the state’s wildlife resources...” (AS 08.54.591(a)). The Board consists of nine members, including two active guides, two transporters, two private landowners, two members of the public, and one Board of Game member. Currently there is one vacant public seat and one vacant private landowner member seat on the Board.

The Board’s duties include developing and administering guide examinations, overseeing guide applications and authorizations, assuring guides and transporters have appropriate permission from landowners, establishing codes of ethics, imposing appropriate disciplinary sanctions, and adopting procedural and substantive regulations (AS 08.54.600). The Board typically meets three times per year - twice a year in person, one telephonic meeting in July, as well as periodic teleconferences primarily for executive session disciplinary considerations. The board held hybrid meetings (in person and Zoom) during the fiscal year. All meetings are advertised and open to the public, except for the executive sessions. Funding for Board activities, including legal costs and associated support by staff from the Division of Corporations, Businesses and Professional Licensing, is provided by license fees collected from guides and transporters. There is one investigator assigned to the Board, one occupational licensing examiner and one Executive Administrator who is also responsible for one other professional Board.

Regulatory changes included 12 AAC 75.460 (a) removing caribou from minimum harvest criteria, 12 AAC 75.450 (b)(13) addressing unlawful provisions and removing game processing equipment.

Current sub-committee, staff and other Board related projects include Transporter regulation review, 12 AAC 75.750 Supervision regulation review, New “Survivorship/Successorship” regulation which entails possible statute change and addressing details of lawful “partnerships” business model.

Financial status of the Board is in good standing. The Board is diligently managing funds and consistently works with executive administrator, Ms. Hoffard, to ensure finances are handled appropriately. The third quarter report reflects a surplus of \$928,008. The board requested a non-renewal year fee analysis to consider requesting the division reduce fees and ultimately decided to delay this action based on several upcoming projects.

Investigative Efforts include 123 opened cases, and 76 cases that were closed. The apparent cause for investigation of nearly half of these cases was administrative error and license application issues. Communication to licensees has increased dramatically through electronic and postal mail. Additionally, “seminar” style education has been incorporated into board meetings to address current undesirable trends and simply to provide refresher training. This, combined with the hybrid meetings, has produced a return to public attendance that diminished during the COVID pandemic.

The Board continues to support State and Federal landowner permitting processes including Alaska Dept. of Natural Resource, USDA - Forest Service and National Wildlife Refuge Managers.

The big game guiding industry creates about \$80 million in economic activity within the state annually. While no similar hard data or figures are available for transporters, a good estimate would be in the \$40-50 million range. About 1,600 jobs with \$13 million in wages and \$12 million spent in rural areas for goods and services can be attributed specifically to the guiding industry in Alaska. In addition to guide fees, visiting clients indirectly spend approximately \$29.5 million within Alaska.

**Big Game Commercial Services Board
FY 2022 Annual Report**

Budget Recommendations for FY 2023

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
July, 2022	Videoconference		
<input type="checkbox"/> Airfare <input type="checkbox"/> Hotel <input type="checkbox"/> Ground <input checked="" type="checkbox"/> Other:			\$300.00
Total Estimated Cost:			\$300.00

Board Meeting Date	Location	# Board	# Staff
Dec 5-7, 2022	Coast Inn, Anchorage	8	2
<input checked="" type="checkbox"/> Airfare <input checked="" type="checkbox"/> Hotel <input checked="" type="checkbox"/> Ground <input checked="" type="checkbox"/> Other:			\$2,500.00 \$3,100.00 \$500.00 \$10,000.00
Total Estimated Cost:			\$16,100.00

Board Meeting Date	Location	# Board	# Staff
March, 2023	Pike's, Fairbanks	8	3
<input checked="" type="checkbox"/> Airfare <input checked="" type="checkbox"/> Hotel <input checked="" type="checkbox"/> Ground <input checked="" type="checkbox"/> Other:			\$2,500.00 \$7,500.00 \$1,000.00 \$10,000.00
Total Estimated Cost:			\$21,000.00

**Big Game Commercial Services Board
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Travel Required to Perform Examinations

Not Applicable

Date	Location	# Board	# Staff
Dec 8, 2022	Anchorage	2	2

Description of meeting and its role in supporting the mission of the Board:

Written and practical examinations provided in conjunction with scheduled board meeting.

- Airfare:
 - Hotel:
 - Ground:
 - Conference:
 - Other: Additional costs added to travel for board meeting for additional stay for exams \$3,000.00
- Total Estimated Cost:** \$3,000.00

Travel Required to Perform Examinations

Not Applicable

Date	Location	# Board	# Staff
March, 2023	Fairbanks	2	3

Description of meeting and its role in supporting the mission of the Board:

Written and practical examinations provided in conjunction with scheduled board meeting.

- Airfare:
 - Hotel:
 - Ground:
 - Conference:
 - Other: Additional costs added to travel for board meeting for additional stay for exams \$4,000.00
- Total Estimated Cost:** \$4,000.00

**Big Game Commercial Services Board
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff
TBD	TBD		1 (INV)

Description of meeting and its role in supporting the mission of the Board:

Board approved 2 in-the-field travel trips for the program investigator to work with Alaska Wildlife Troopers and other state/federal agencies. Not to exceed \$6000 per fiscal year.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				
<input type="checkbox"/> Hotel:				
<input type="checkbox"/> Ground:				
<input type="checkbox"/> Conference:				
<input checked="" type="checkbox"/> Other:	\$6,000.00			\$6,000.00
Describe "Other" (break out all sections):				
Net Total:	\$6,000.00	\$0.00	\$0.00	\$6,000.00

**Big Game Commercial Services Board
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
n/a	n/a	n/a

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

- Not Applicable

Cost Per Event:

Number of Events:

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Summary of FY 2023 Fiscal Requests

Board Meetings and Teleconferences:	\$37,400.00
Travel for Exams:	\$7,000.00
Out-of-State and Additional In-State Travel:	\$6,000.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	\$ 0.00
Other:	\$0.00
Total Requested:	\$50,400.00

**Big Game Commercial Services Board
FY 2022 Annual Report**

Legislative Recommendations - Proposed Legislation for FY 2023

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

The board has formed a sub-committee to research limited guide-use areas, also known as a concession program. The program the Big Game Commercial Services Board is exploring is a variation of a concession program, as the board does not own the land the intent is to limit the number of guides that can provide service in any one area. The board has received an increase of complaints regarding conflicts in the field between licensees and licensees with resident hunters; the board has not received complaints for areas that are currently part of Federal concession programs. The board has also heard of issues with the quality of guide services being significantly reduced due to congestion/overcrowding in areas.

License holders have expressed interest in the board seek this change to ensure that competent, qualified guides are providing services in a manner that is representative of the professionalism expected of licensed guides in our state.

State land use permits are issued by the Department of Natural Resources and are open to any state resident; the Big Game Commercial Services Board requires licensed Registered/Master Guide-Outfitters to register for specific guide use areas with the board. Guides must be certified in the Game Management Unit the area is in before they can register for the area and can register for a term of 3-5 years.

Guides are charged with stewardship of the land and conservation of the species hunted, limiting the number of guides that can provide services in any specific area will help to reduce potential overharvesting as the number of hunters in that area will be reduced.

Big Game Commercial Services Board
FY 2022 Annual Report

Regulation Recommendations - Proposed Regulations for FY 2023

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

At the time of this report the following regulation topics will be considered for regulation amendments:

1. Adding survivorship for emergency transfers
2. Supervision regulation clarification
3. Definitions of “physically present”, “primarily in the field”, “in or near camp”
4. Unlawful provisions by transporters
5. Marine Transporter Regulation
6. Trainees
7. Guide Use Area registration - clarification
8. Booking Agents/Hunt Planners/Hunt Consultants

**Big Game Commercial Services Board
FY 2022 Annual Report**

Goals and Objectives

Part I

FY 2022's goals and objectives and how they were met:

The board's primary goal was to complete current projects:

- Implementation of proposed Professional Development criteria for all classes of guides - withdrawn at request of Dept. of Law
- Implementation of proposed UVC regulation clarification - effective 11/2021
- Add Survivorship for Emergency transfers regulation - ongoing project
- Re-write Supervision regulation criteria for clarity and purpose - ongoing project
- Define "physically present" for Assistant Guide supervision - ongoing project
- Define "primarily in the field" for contracting Registered Guide criteria - ongoing project
- Remove caribou from minimum harvest criteria - effective 3/2022
- Regulate activities of Transporters - ongoing project

The following are on-going and continuous goals of the board:

- Continue to strengthen the ethics standards. We continue to incorporate ethical violations into sanction actions. Moving forward, ethics violations may need to be incorporated into the disciplinary guidelines and precedence matrix. These violations are very difficult to maneuver through and often lack enough proof to justify board action. The board recognizes these barriers and plans to move forward with procedures to aid in the decision process of ethics violations once current projects are complete.
- Continue to build and strengthen partnerships between the various agencies involved in the Guide Profession including ADF&G, Alaska Wildlife Troopers and the various land managers.
- Continue to monitor trends in violations and make adjustments as required.
- Continue to strengthen public trust and participation through communication, education and efficiency.

**Big Game Commercial Services Board
FY 2022 Annual Report**

Goals and Objectives (continued)

Part II

FY 2023's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

The board will continue to work on regulations projects and make efforts to streamline processes where possible with the assistance of staff.

Continue to build and strengthen partnerships between the various agencies involved in the Guide Profession including ADF&G, Alaska Wildlife Troopers and the various land managers.

Continue to monitor trends in violations and make adjustments as required.

Continue to strengthen public trust and participation through communication, education and efficiency.

Big Game Commercial Services Board
FY 2022 Annual Report

Sunset Audit Recommendations

Date of Last Legislative Audit: 09/14/2018

Board Sunset Date: 06/30/2024

Audit Recommendation:

DCBPL's director should improve management oversight procedures to ensure required documentation is obtained, reviewed, and retained to support licensure.

Action Taken:

n/a

Next Steps:

n/a

Complete : No

Yes

If yes, date completed: n/a

State of Alaska 2023 HOLIDAY CALENDAR

State Holidays

Date	Holiday
01/01/2023	New Year's Day (observed 01/02/2023)
01/16/2023	MLK Jr.'s Birthday
02/20/2023	Presidents' Day
03/27/2023	Seward's Day
05/29/2023	Memorial Day
07/04/2023	Independence Day
09/04/2023	Labor Day
10/18/2023	Alaska Day
11/11/2023	Veterans' Day (observed 11/10/2023)
11/23/2023	Thanksgiving Day
12/25/2023	Christmas Day

Please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

 Holiday



JANUARY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JULY

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

FEBRUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

AUGUST

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

MARCH

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

APRIL

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

MAY

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

JUNE

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						